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MARRIAGE IN MY TIME



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MARRIAGE IN MY TIME

by

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CHAPTER I

— AND PLACE

MARRIAGE in my time—and place. The place is most important, for marriage varies with locality. The place is this country of ours, England.

In distant countries marriage has shown many facets other than it now presents to us in our homeland. Marriage is surrounded with innumerable customs. What a pageant it would make to throw upon a screen marriage ceremonies of different races throughout the ages !

Not only in externals does marriage differ in different places. In India in my time marriage meant the wedding of little girls before the first proof of their womanhood had demonstrated itself, in order that there should be no possible loss of the maximum number of conceptions. Turkish harems held many wives. In my time in Japan the bride of a good family did not even see her bridegroom until the legal contract of marriage was completed. In a distant land to-

day the Emir Abdullah is permitted by his religion and the laws of his country to have four legal wives, though he limits himself to two, and his subjects to the number they can afford properly to keep.

Were I to depict all the aspects of marriage, even in my own time, this book would be as unreadable as a catalogue, or it would burst the bounds set to the series and spread over half a dozen volumes. That is unnecessary, for Westermarck has written a great *History of Human Marriage*. So let it be understood that in this book we are insular. We are dealing with British marriage in Britain, mainly in England. Even in Scotland, the other half of our island, the laws of marriage differ from (and in my opinion are better than) those governing marriage in England.

Marriage in this country is monogamic. For the English marriage means monogamy, notwithstanding [that to many people the schoolboy's silly joke that marriage means "monotony" has been their excuse for

surreptitious erosion of the monogamic citadel. Of that I will speak later.

Let us first realise that the customs appertaining to monogamic marriage in England are still tinged with ancient habit. Before my time, when the Tudors were on the throne, we had child marriages, even infant marriages, in England, arranged by the parents. They differed from the child marriages of India in that the bearing of infants by children was not a part of the scheme, but they were alike in the fact that the parents arranged the marriages of their children long before any dawning conception of what marriage means could be presented to the minds of the contracting parties. All that has been done away with, but the remnant of it still penetrated into the time of my grandparents, when "ask Papa" was the modest maiden's answer to the young man kneeling at her feet and pleading with ardour for her hand. Parents are occasionally consulted to-day by the young people who marry. Where family considerations are of importance,

a well-brought-up young man will still take into consideration the feelings of his own parents and his prospective parents-in-law, and lawyers will still in the background arrange settlements and family transactions, but to-day fewer and fewer young people voluntarily consider, or are asked to take into account, anything but their own feelings in their matrimonial affairs.

In 1931 a little book, *The Cost of England's Morals*, by Janet Chance, with an introduction by Sir Thomas Horder, Bart., M.D. (now Lord Horder), collected some telling instances of the cruelties and suffering within marriage at the present time. English morals were attacked, but it was English ignorance which should have been arraigned. Indeed, not only English, but almost universal ignorance of the fundamental essentials of sex physiology, sex anatomy and sex psychology distorts human life and marriage to-day.

Even within the narrow limit of one country and of my own time, all under the same strict monogamic law, what variations of marriage

there are ! We are apt to divide society simply into upper, middle and lower classes, not recognising the infinite varieties of class within class in what are called the “ lower ” classes.

Contrast the marriage of a farm labourer’s wife with that of a woman in a tenement house in a factory town. The farm labourer’s wife lives in a country cottage ; around it lies a piece of garden where she and her husband together can grow greens and potatoes, keep poultry and a pig. Near the cottage, firewood lies under the trees waiting for her and her children to pick it up. She can rear a brood of healthy children, the little ones tumbling happily about her feet as she goes in and out of her simple house, where, pursuing half a dozen skilled crafts, she is the equal of her husband in maintaining the home. How different marriage must feel to the woman in a tenement ! She is surrounded by miles of streets, with the smoky sky of the factory town oppressive above the slated roofs. Her husband, out of work half the

year, and when in work sleeping all day and out at night, for he is a night watchman. The two rooms on the top floor circumscribe her labour. There she not only has to rear her children but to do her washing and drying. Every drop of water she uses has to be carried up in pails from one tap at the foot of the stairs shared by all the other tenement dwellers. She has to buy everything she needs, and no money can buy sunshine and sweet soil for her children.

But these are the outsides of marriage. The circumstances surrounding individual lives must vary. The kernel of the contract is the inner relation, the enduring partnership between one man and one woman who together form the nucleus of a home, whether it be in a travelling caravan, a single tenement room, or in a palace. This partnership is of supreme importance, not only to the two individuals concerned, but to the State wherein they live, for such legally united pairs form the units upon whose stability depends civilisation as we have known it in our lifetimes. By this a hasty reader must not

conclude that I could not imagine a civilisation compounded without such molecular units. I cannot imagine it, however, as a *stable* civilisation. We are to discuss things as they are or recently have been, not as they might be in another evolution.

Marriage is based on the prime fact of sex, and that, as it takes two to make a quarrel, it takes two to make happiness and it takes two to make a baby.

When reviewing Mr. Bertrand Russell's book in 1929, *The Times* began: "It should be a matter for surprise not that marriage and sexual morality should often be regulated by unreason, superstition and prejudice, but that reason should ever be applied to the matter at all," the reviewer going on to say that "sex itself, one would naturally expect, is the very centre of unreason." Is not this an example of the density of perception which has done so much to lead marriage into the tangle where it lies thorn-bound at present?

A tangle of unreasonable laws, regulations,

traditions and taboos screen themselves from the light of knowledge by proclaiming that knowledge is not necessary, is, indeed, pernicious, in the conduct of such a vital concern as the sex relationship. People seem to be unaware that as humanity has evolved so the concept of the sex relation has evolved *pari passu*. Marriage to-day is not homogeneous but is many different things because many types of people in many stages of mental development all require it.

The happy marriage is essentially the one wherein two people with approximately the same standards of physical needs, anatomically adjustable, mate with each other. Unhappy marriage results when people of widely different types find themselves legally bound and are bewildered by each other.

True marriage is essentially an escape from the herd into the seclusion of the lair. The herd is coercive, but in the lair each of the two individuals should develop; each should be reciprocally superior and reciprocally admiring. In the lair, its entrance secured by legal process,

the two may retire from the herd and afford each other warm comfort on a mutual basis wherein is an element of mystical contact with cosmic serenity. But often it is not like that.

CHAPTER II

LEGAL MARRIAGE

IN this country " Christian Marriage " is sometimes spoken of as an antithesis to legal marriage. What is meant by Christian Marriage varies not a little according to the different sects. All the Christian Churches, however, agree with the law, that in this country one man can have only one woman to wife.

If by trickery, or even under a misapprehension, a man marries another woman while his wife is still alive, he renders himself liable to criminal prosecution for bigamy, and that is a very serious matter. It is equally serious for a woman who attempts to marry a second man.

Until about the middle of the last century all marriage was essentially Christian marriage and under religious jurisdiction. Now, and for some time past, in England, legal marriage may be entered into before a Registrar, controlled by Civil and not Ecclesiastical power. It is

then just as legally binding as the ceremony performed in church.

Even in a marriage ceremony devoid of all religious form there lingers some remnant of the old Ecclesiastical regulations for marriage. In a church marriage, for instance, banns have to be put up in the respective parishes of the two parties. The banns of marriage for a religious ceremony are requirements based on the old Marriage Act of 1823, and it was not until so recently as 1930 that the publication of the banns was made easier for those living in separate parishes and permission was given by an Act to allow the marriage to be solemnised in the parish church *usually attended* by the parties, not necessarily the church of the parish in which they live or have a transitory residence.

Legal marriage can only take place between those who are not related too closely. In the Prayer Book of the Church of England is generally found a list of "prohibited relations" and this starts off in capital letters: "A MAN MAY NOT MARRY HIS GRANDMOTHER."

This reminds me of a story which always makes me laugh about an *enfant terrible* and his father. The little boy said to his father: "I have decided who I'm going to get married to, Daddy." "Oh," said the father, "and who is that?" "I'm going to marry Grannie, Daddy." "Indeed," said the father, outraged, "you can do nothing of the sort." "Why not?" asked the little boy; "you married my mother, why shouldn't I marry yours?"

The proper answer to the little boy is—it was forbidden in the Middle Ages by the Church and is now also forbidden by the Law.

Marriage is also forbidden to many other relationships. I remember hearing discussions round my parents' table and in various clubs, with heated arguments, about the restrictions that a man may not marry his deceased wife's sister. Homes were rent asunder over this question. The shocking horror of the possibility that it should even be contemplated roused clerically-minded people to lurid denunciation of the immorality which must ensue were it

permitted, but in spite of that, in the year 1907, something was done, and in the year 1931 the *Marriage (Prohibited Degrees of Relationship) Acts, 1907 to 1931* successfully cleared up the situation. Now a man may marry his deceased wife's sister, or his deceased brother's widow, or his deceased wife's brother's daughter, or a deceased wife's sister's daughter, or a father's deceased brother's widow and mother's deceased brother's widow, a deceased wife's father's sister, a deceased wife's mother's sister, a brother's deceased son's widow, or a sister's deceased son's widow ! Still the power of the Church, though restrained, exists. So no clergyman of the Church of England can be compelled against his will to marry a man to any one of these women if he feels it against his conscience to do so. That his conscience should revolt against such marriages is, of course, not inherent, but is an acquired characteristic, due to the fact that for so long they have been listed in the Prayer Book among the " Prohibited degrees of relationship." On the other hand, the Church

does not entirely condemn such marriages, and the clergyman who objects to solemnising them himself may allow his own parish church to be used for the purpose of such a marriage by another clergyman who has either a narrower or a broader attitude towards Christian marriage.

Legal marriage can only take place between two who have reached the prescribed age. Long ago such age was infancy, and children in their cradles were married by arrangements made by their respective parents. In my own time, a girl of twelve and a boy of fourteen could marry legally. Though they were still reckoned in the law as infants and could not control their own pockets, their marriage was legal. It was so recently as 1929 that the *Age of Marriage Act* prohibited any marriage where either party is under sixteen years of age. It was a foolish Act, initiated by good people too squeamish to realise the facts of life, and frankly to recognise that many a little girl has at or before the age of twelve herself borne a child, and there are some-

times good reasons why she should be married at that age. Of course she should not be encouraged to do so ; but to make it impossible is to flout nature and create hard cases. It is true that hard cases make bad laws, but where Nature, over which we have no power, makes motherhood possible, man is foolish to interfere and make marriage (not motherhood) impossible.

Undoubtedly evolution is taking place in the human race, and the extraordinary variability in temperament and quality generated by our artificial life seems clearly to be creating as one of its products women who mature slowly and who are not physiologically ripe for marriage until well into the thirties.

About the age to marry I say something in Chapter VIII.

To-day a girl or boy may be legally married at sixteen if their parents consent—and as I write I think of a particularly healthy, charming, white-haired old lady of my grandmother's generation whom I remember when I was a little girl, for she had been married at fifteen,

and was a mother before she was sixteen, and a very successful mother too. The human race contains so many varieties that it seems rather silly for legislators to lay down the law without taking Nature's ways into account.

Many people feel the difference between "Legal marriage" and "Christian marriage" to be momentous, and I have often heard people say that "you are not properly married unless you are married in church." That is why many a man and woman who have not been to church since they were christened there, go to church to be married. About this the Clergy sometimes complain, grumbling not only over the port at dinner, but publicly. Why should they grumble? Do they not realise that the Church of England is the *State* Church, and many "common" people who cannot very well give expression to the subconscious thoughts and feelings which stir them, do have a strong feeling that they should link themselves with the State, and record their existence in a State institution at the critical times of their lives. Birth,

marriage and death are all matters for the concern of the State Church, and the people are parishioners whether they are churchgoers or not. Resentment is expressed by some of the Clergy towards non-churchgoing parishioners who give expression to deep feeling by choosing to solemnise these great occasions in their church; such Clergy are narrow, hard and forgetful that they are servants of the State as well as of the Church.

Some Christian sects lay so much stress on the religious ceremony that they go so far as to consider that those not married by a priest are "not properly married." Some deny that Christian marriage is possible where either of the parties is divorced from a still living spouse, and some give very bitter and acrimonious expressions to these pious beliefs. Yet how little seriousness the Clergy attach to their own religious ceremony I was led to discover with surprise and some consternation by my own experience at the time of my marriage. Illustrating this point let me tell the anecdote.

Humphrey Verdon Roe and I were married in 1918 during the War. He was an officer in the Flying Corps. He was nearly, but not quite, recovered from wounds. We expected that he would not be ordered to the Front again for some more months, and our marriage was arranged to take place at St. Margaret's, Westminster. Our parents and friends were anticipating the ceremony there, when unexpectedly he was informed that he must hold himself in readiness to be sent immediately to the Front. So we did what was very natural in the circumstances; we married each other immediately at the Registrar's office in Westminster. Then, fortunately, he was not called to the Front and the Church marriage as arranged was able to take place at St. Margaret's, Westminster, the late Bishop of Birmingham (Bishop Wakefield) and the Rector of Old Windsor officiating. We had old-standing and peculiarly romantic feelings for St. Margaret's, Westminster, and after the ceremony when we went into the vestry my hand almost trembled with excitement at the

thought of signing the register to record our marriage in that venerable building so interwoven with the history of the country. We were flatly told we could sign no register and that no record would be kept at St. Margaret's, Westminster, though our marriage had been solemnised there by the Clergy of our national Church. Why? Because we had already been married with no religious ceremony, but legally, at the Registrar's office a few weeks earlier. We were astonished. Of course, we might have looked this point up and been forewarned that this would happen, but we had not thought of it and it came like a blow in the face. "Christian marriage" considered by so many of the Clergy in the Church of England and other Christian sects as so important a sacrament was, in respect of its record in the church in which it was solemnised, so unimportant once the civil law had pronounced us legally married that it was not even to be recorded! Surely, thought I, as surely would most intelligent young people had this happened to them, if the religious

ceremony is treated in this offhand way by the Clergy themselves, how can they expect one to take very seriously their view of its significance ?

I hear harrowed defenders of the faith protesting that the law does not allow them to register the same marriage twice. True, the *legal* aspect of a marriage cannot be re-registered, but a Church which is willing to solemnise the religious vows with all the pomp of a service conducted by a Bishop and attendant Clergy, should treat that ceremony with sufficient gravity to keep a register which the parties should sign to record this ceremony. A cynic might well ask whether the vows to " love and cherish till death do us part " can be viewed seriously by those who make them if the Church in which they are made clearly treats them of so much less importance than the civil ceremony that they go unrecorded.

Legality of marriage in this country is a very intricate and curious thing. Two who have the right to marry, and who do so legally, are not compelled as part of the ceremony to complete

their union by the physical act of marriage. Yet, if they find themselves incapable of consummation, that is to say, if after some months or years of marriage the woman is still a virgin (and demonstratedly such to medical experts), then the marriage can be readily and willingly annulled by both Church and State. The vows so solemnly made in church do not count. If the girl's virginity has been taken from her by the natural course of marriage, separation has to be by divorce and not "nullity." The separation of the parties by a decree of divorce is often difficult, and in some circumstances impossible. Yet the law quite readily admits the right to separation of the two who had not been able to use the physical side of marriage. This too can lead to many interesting and subtle discussions, for the sect of Christianity most emphatic about the lifelong nature of Christian marriage, namely, the Church of Rome, does not allow divorce at all for any circumstances, even adultery, yet even she is quite ready to admit that in spite of legally binding contracts,

in spite of vows pronounced in church before a Priest which would in other circumstances be absolutely binding for life, if the physical privilege of the husband to take the bride's virginity cannot be exercised, then the marriage may be rendered null and void and is recognised by both Church and State as being a marriage which has not taken place. This is something deeper than a divorce and more fundamental, for after it the parties are not "divorced," they *never were married*.

People are generally in the dark about this aspect of legal marriage. Few save lawyers and Clergy realise the distinction between a *nullity* of marriage and a divorce. The phrase "*the marriage was annulled*" is used loosely to imply both nullity and divorce; but in the eyes of both Church and State the difference is profound.

I was led to discover the difference by my own experience. Before my real marriage in 1918 I had been legally married in 1911 to a British Canadian. After six years of this legal marriage, which involved the most

passionate and erotic love-play, I was still a virgin (how long a time it took me to realise this and all the accessory anguish it involved is another story), but when at last I realised the true situation, my lawyer, who had believed me to be in an almost insolubly difficult tangle, found at once that it would be simple and easy for me to escape the bond of legal marriage by suing for nullity as a *virgo intacta*. Years of legal marriage, the solemn vows of the religious ceremony were swept away at once by the *absence* of the purely physiological physical fact of marriage. But, contrariwise, had there been but one single completed act of physical marriage even though never followed by another, I would have been tied both by Church and State in bondage to the same unsatisfactory situation. At the time when my suit was passing through the Courts I remember my solicitor telling me of an interesting nullity case which had been brought successfully after twenty years of supposed marriage !

I have often been thankful that what con-

cluded my first legal marriage was not a divorce but nullity. Had it been otherwise, and had I divorced my first husband, there is no doubt that certain religious persons would have found it a useful stone to throw at me in the course of my work on behalf of true marriage. As it is, Rome herself casts no reflection on the dissolution of a *non-consummated* marriage.

The Church of Rome, that "bulwark" of Christian marriage, does not, however, recognise divorce at all. Yet strangely enough it can arrange for the *annulment* of marriages on another basis than the "incapacity for physical consummation." Rome can wipe out by "annulment" marriages so that "they have never been" even where the parties have been physically and legally married for years and are the parents of children. A remarkable case of the kind not long ago was that of the then Duchess of Marlborough in 1926. She was Consuelo Vanderbilt, and she and her husband had been married so long that the younger of their sons attained his majority

before they applied to the Church of Rome for the annulment of their marriage. Their mother Church, that of Rome, discovered that the marriage had never taken place, but that strangely enough the sons were not illegitimate!

A great deal of public interest in the matter was taken and the extraordinary details were given prominence in the *Evening Standard* for 4th December, 1926, under the heading "ROME ANSWERS A CHALLENGE." This type of "nullity" is not that recognised as *nullity* in simple straightforward English law.

The point about the nullity of a marriage solemnised by Church and State which is dissolved by the suit of a *virgo intacta* is, however, one of profound significance, for it shows that even in Christian marriage the *finally determining factor* is not the legal contract, not the vows in church, nor the religious ceremony, but *is the physical act of coitus*. This is a very remarkable thing, and one which thoughtful people would do well to remember when discussing the meaning of Christian marriage.

To turn to lighter topics, let us glance at the ring. In the religious ceremony of marriage instruction is given to the man to place on the woman's third finger of the left hand a ring and there to leave it. This is peculiarly British. On the Continent I have observed that the man and the woman exchange rings, and that married men wear wedding rings as well as do wives. Indeed, when I was a student in Munich I remember the laughter in one of our scientific laboratories when a travelling Dutch professor was detected without a ring but with a band of pale skin round one finger of his brown hand. I remember the bright blue eyes of my Professor of Biology sparkling with laughter as he explained to me how impossible it was ever to escape from the chain of the wedding ring once it was placed there. "Only the juice of the walnut would have given him his free holiday," he commented.

The placing of the ring has, of course, no legal significance, and yet to many an ignorant woman in this country her ring and her "marriage lines" are of equal significance. When

anyone tries to pretend to be married when they are not, it is a ring they buy.

I like the Continental custom and so do many of the younger people in our country to-day, so that wedding rings on men are not so rare as they used to be. Rings should be exchanged at the time of marriage, and both should wear them "till death do us part." My husband and I did this in 1918, and as I write the papers tell us that Princess Marina and Prince George, Duke of Kent, are setting the seal of fashion on the custom by adopting it themselves in accordance with the practice in Greece.

In Scotland, legal marriage is not quite so tightly in the grip of religion as it is in England. Hence marriage in Scotland can be either regular, that is, on the lines of the religious marriage contract by a minister of religion after due notice, or it can be "irregular marriage" which is also legal. The modern survival of mediæval types of marriage remain in Scotland because she defied the decrees of the Council of Trent. In Scotland the "irregular"

marriages which are legal are of three kinds :—

- (1) Consenting before two witnesses.
- (2) Promising marriage followed by intercourse on the faith of the promise.
- (3) By constant living together as husband and wife.

But for such marriages to be legal the participants must be resident in Scotland. These are much more simple and natural forms of marriage, archaic almost in their simplicity, and were they recognised in this country probably a good many children would be legitimate who are grown up to-day as illegitimate.

Legal marriage is defended by the law and anyone who violates the contract, and who, while his or her spouse is still living, contracts what purports to be a legal marriage with another partner is guilty of a criminal act and, on conviction, is usually sent to prison for bigamy. Some people make a practice of bigamy and escape by using false names and changing their

addresses. Some try to do this, and succeed for a time only to be caught in the end and brought to justice. The bigamist is not a popular nor an attractive figure, yet a sailor who "has a wife in every port" is definitely so! Marriage and our feelings about it and our customs concerning it are often contradictory, and swayed by sentiment.

What does legal marriage involve? For the man a number of responsibilities. He must maintain his wife in a manner suitable to his station. She can pledge his credit for the necessities of life. He is responsible for her torts.

On the recent authority of the late Mr. Justice McCardie one can say, "The mere fact that a wife has a separate income, however large, does not of itself exonerate a husband from the obligation of paying her dress bills, but if he has made her a proper allowance for clothes, then he is not liable to any tradesman who chooses to supply clothes to her without his knowledge."

There is indeed a tremendous list of the duties and responsibilities a man assumes on marrying. In the old days he did it without any grumbling, but nowadays some men are beginning to be restive and to claim that they should be relieved of the legal responsibilities their fathers bore without question. Women should beware ; they would make a great mistake if they allowed men to shake off this responsibility towards woman as wife, because as wife she is a potential mother. As a mother, particularly the mother of young children, a woman has a racial as well as a legal right to claim such privileges as the law has for so long arranged for her.

In England monogamy is generally accepted as the approved social code, even though some so-called " reformers " make demands approximating to the custom current in French marriage, where the material, economic and family considerations of the marriage are primary and both husband and wife may permit each other the outside interests and pleasures of the recognised

lover. Some people consider that for this reason marriage in France is more successful than marriage in England, but others note that in such a marriage idealism has hauled down the flag. Essentially, in England, our national code of marriage has nailed its colours to the mast and maintained as its ideal the view that marriage should be a relation initiated by mutual love, which *endures* and is protected by law. It may be true that where marriage holds no love, the married people fly to lovers, but that is because they as individuals have failed to achieve the ideal ; not that the nation as a whole has hauled down its flag.

In England still, in spite of all the individual mistakes, marriage means more than it does in most other countries to-day.

CHAPTER III

“ MARRIED IN THE SIGHT OF GOD ”

IN the last chapter we surprised an almost metaphysical aspect of marriage, the fact that a woman who possesses the *absence* of a purely physical feature of marriage, namely, *coitus*, finds in this absence a magical solvent of the most binding of legal contracts, and the most sacred of religious vows.

How fares the woman in the reverse position, namely, she who possesses that positive physical relation? Does the act of *coitus* with her selected partner give her a solder to weld him to her legally? Is she, therefore, his wife in Christian marriage? No! she is not. Potent though the physical side of marriage is *in its absence*, it is impotent in its presence, and unless preceded by the prescribed legal preliminaries it has by itself no power to claim social recognition. A woman may have lived for many years as the faithful spouse of a man physically faithful to her, but the law does

not recognise the union. Their children, if any are born to them, are illegitimate. Readers of novels and plays are familiar with the situation of the " true wife," " married in the sight of God " to her " soul mate " who, for some reason or another, is not her legal husband. In novels and plays she is often the heroine of the situation. In real life occasionally she may be. In England—and here I must again emphasise the difference between England and Scotland—though the partnership may be one of lifelong faithfulness and open cohabitation, it is not marriage unless the prescribed legal form is gone through by the contracting parties.

If the man has a legal wife alive, the law maintains the impregnable position of the legal wife, even though she may be no true loving partner, neither housekeeper, nor friend, nor mother of her husband's children. A completely selfish woman once married to a man, after she has been made his wife in this country, can thereafter refuse motherhood, home-

making and any other of the functions of wifehood which irk her. At the same time she can, so long as she chooses, prevent a legal relationship between any other woman who may perform all these functions for the man whom the law continues to call her husband. Sometimes the woman who is only "married in the sight of God" is a much truer wife to a man than she who is legally recognised as his wife. The greatest test comes with parenthood or its refusal. A few men do not desire any children, but the average man hopes and expects that his wife shall be the mother of a child, or children. If they are denied this, some are heartbroken, some go to pieces socially. It is then that a man, thwarted in his deep instinct to beget children, turns to the unmarried wife and it is then that he finds how difficult the law may make it for him to do her and his children justice.

The woman who cannot or will not have children but who will not give up her position as the legal wife of her man can maintain her

position and force another woman to bear her husband's children illegitimately. It is open to discussion whether it is advantageous for society that this should be so. A good case can be made for the view that the institution of marriage should be primarily considered from the point of view of the children. It may then be argued that when, on the one side, there stands a wife, sterile either voluntarily or involuntarily, in a childless home, and on the other the mother of a man's children, wifedom should be subsidiary to motherhood. At present the wife has the legal right, but has she the moral right, to keep out of that home the mother of the desired children of her husband? It is too patriarchal, I suppose, in these days to expect a wife willingly to take the place of the chief wife and mistress of the home and to receive another woman, adopting her and her children, sharing in their upbringing, in her husband's house. Our current “ moral ” code is not ideal. The present legal position does enable a selfish woman to deny normal father-

hood to her man and to think primarily of her own position and power. I have watched several such marriages in my time. One was that of a man with an unusually developed and very touching passion for children who, in the reticent way that was customary some years ago, married without any previous discussion with his bride about the question of possible children. After marriage he found that his bride was *determined* to have no children. She was equally determined not to lose her position as his wife. After a time his open unfaithfulness angered her, but did not move her from her determination to remain his wife. She would not sue for divorce whatever he did, and he, of course, could not bring any suit against her. Legally married to her he could never be the father of a legitimate child. He had a social conscience and thought it a crime to bring children into the world to bear the brand of illegitimacy. So, instead of taking to fatherhood, he took to drink.

Another man in a somewhat similar position

said to me with a passion of anguish in his voice: “ To think that I shall never have a son ! I envy more than any living man that King who was said to be able to look on a regiment of his own sons. God, what a glorious possibility ! ” Can one wonder that other men in similar positions turn from a legal wife to another woman and, if they are fortunate, find one who is willing to take the secondary position in society of a woman “ married only in the sight of God ” and yet to bear him a child or children ? The law continues to make it extremely easy for the wife to make things very difficult for that family. A wife, though refusing to divorce her husband, can demand a legal separation and crippling alimony from him. If she is cleverly advised she can get a very good settlement or legal undertaking from her husband both on his present income and future earnings, and she can put the law in motion to defend her legal rights against the natural feelings of the man who, as a father, desires to give all he can to the mother of his

child or children whom they are rearing together.

Difficult cases are occasionally in the public eye, when a childless wife appeals to the Law Courts to deprive the unmarried mother of her husband's child of properties he may have given her.

The man's natural wish to give his possessions or his earnings to the child of his body and its mother may be legally defeated by the wife.

Finance is not the only problem the unmarried mother may have to face. Society makes it very difficult for the "unmarried wife" even when protected by a faithful partner.

I remember a famous literary man, still alive, who told me how terribly expensive it proved to try to rear his children who were born to one whom he married "only in the sight of God." Although he held a high position in society, and was a man of wealth, things were made almost intolerable for them. There are sometimes exceptions who retain public esteem.

In my parents' time a famous example of the

woman “ married only in the sight of God ” who retained the respect of the community was “ George Eliot.” Though she was not a mother in physical fact, she was the adopted mother and home-maker for the children of her unmarried husband. Her personality and all the attendant circumstances were of such a nature as to make it possible for both she herself and the community to treat the situation with dignity. In our present social conditions this is not often possible. The woman who is married “ only in the sight of God ” finds little chance of a normal social life unless she buys a wedding ring and she and “ her husband ” move to another district where they are not known.

CHAPTER IV

THE "VICTORIAN MARRIAGE"

"VICTORIAN marriage" creates an atmosphere in our minds. Most of us now alive have some connection, direct or indirect, with the Victorian marriage, through parents or grandparents. If not, we have seen the fixed idea presented in modern drama. The typical Victorian marriage included a whiskered Papa with a silk top-hat; a flouncy beribboned Mamma; between them a staircase of young ones whom they led to church every Sunday. In this stereotyped idea of the Victorian *ménage* Mamma must be very womanly, clinging and docile and, in spite of her ugly clothes, made up to stimulate and excite Papa. Papa must be very manly, strong and accustomed to stand in front of the fire, with his coat-tails under his arm, automatically coping with the demands of his growing youngsters. Papa's incredulous stare when it was suggested to him that he might use less than two clean starched shirts a day each

day of the week to save work, wear and tear, seems stamped in some guise or another on the faces of all Victorian Papas. Mamma's fan before her lips, and her lowered eyelids at the mention of any of the realities of life are supposed to have hidden an ignorance astonishingly complete in one who had physically borne six or seven children. This Victorian picture is not entirely a myth. There were families like that. The picture shows a streak of superficial likeness to my own grandmother's marriage. She bore five children under a crinoline in Victorian times and was the sweetest and gentlest of feminine creatures. The difference between current fancy about her time and the fact, was that under her gentleness lay reality; for before her marriage, unknown to the outer world, she had been of the greatest help in the drawing office of her grandfather, one of the great architects of his day. Victorian women weren't ninnies. One has only to read my mother's book (*British Free Women* by Charlotte Carmichael Stopes) to realise that women all

through history have been not only wives and mothers but citizens.

The modern idea of the illiterate majority that to-day for the first time women are taking part in national affairs is mainly due to ignorance. Also to the feeling common to the youth of each generation, that they are really doing things properly for the first time in history.

The main difference between the Victorian marriage and the marriage of to-day is not the intellectual capacity of the women, nor the esteem in which they were held, but the number of children resulting from the marriage. Typical family units of six, seven and eight were then common. To-day they are rare. Any woman who has more than two children and tries to rear each not only in physical decency but in intimate love, inevitably finds, owing to the limitation of the number of hours on the clock face, that her time is nearly filled with family duties. The Victorian differed also from the present-day married mother in having a supply of nurses and governesses

much more easy to obtain and much more deeply and humanly interested in their charges than the present-day equivalent. Who help mothers to-day in their homes? A sprinkling of college-trained or "expert" nurses and governesses (from many of whom Heaven preserve the young child), or the "throw-out" taking up nursery work only because she cannot get a job as a mannequin or a florist, work in a City office or with an aeroplane. The young *gentlewoman* of to-day is not led into the position of nursery governess as she was in Victorian times. There the Victorians had the advantage over us. It is better for the children to have in their nursery a young gentlewoman with a conscience and affection to guide her than an institutionalised "expert."

But all these things, even the children, are too the externals of the Victorian marriage. At the heart of it lay a really profound difference from the modern marriages. The Victorian woman was supposed to have, and really did have, no sound physiological knowledge of the

fundamentals of sex. She was trained to be "cold" or "pure" because that was ladylike. Sometimes on the eve of her marriage her mother "told her what to expect." More generally she was but vaguely instructed that as her husband was the head of the household she must submit herself to him both at bed and board. Though the higher aspects of abnegating self-devotion were instilled into her, no idea was permitted that there was in the physical side of marriage anything but maternity for her. She was there, without emotion, to "indulge her husband."

Though my book *Married Love* was only published sixteen years ago, this Victorian tradition was then so prevalent that the main ideas in the book crashed into English society like a bombshell. Its explosively contagious main theme—that woman like man has the same physiological reaction, a reciprocal need for enjoyment and benefit from sex union in marriage distinct from the exercise of maternal functions—made Victorian husbands gasp. A

week or two after that book was published in 1918 all London was talking of it, and when I lunched with the very distinguished Secretary of the Royal Society of Medicine, Sir John MacAlister, he said to me: "If it is true it is the most incredible, but the most wonderful, thing for mankind; a new gospel of hope."

The average Victorian medico not merely thought vaguely but some of them explicitly stated that in the sex life between the married pair, a woman was *incapable* of any physical enjoyment from the fact of marriage and that if she felt it she was abnormal.

There must have been physiologically normal women in the Victorian days, and from the number of confessions that I have received from older women after the publication of my book *Married Love*, it is quite clear that the correct thing for them to do (were they aware of Nature's obvious arrangement for womanhood's natural reaction in marriage), had been to *pretend* to coldness. They had to disguise their true womanhood in fear lest their husbands

should perceive that they were not frigid, and thus class them with the type of the outcast women. For, of course, even in Victorian marriage, there were "those other women."

The marriage of my own parents was not quite typical of the Victorian era, for they knew of, and exercised, the control of conception and adjusted the time of their contribution to the race, and my mother was what is commonly called "a learned woman" in addition to being a wife and mother.

Knowledge was welcomed in my home, and scientific facts freely discussed. I drew minutely the sex organs of earthworms and frogs and discussed them frankly and simply with my father—but they did not come into marriage. In our home human sex was never spoken of at all. I do not remember ever hearing the word. Huxley's famous human physiology described human beings without sex organs. My own book, *The Human Body*, published in 1926, was the first popular book on general physiology in which the sex

organs were described in their place and illustrated.

When I was a girl in our circles a "bad woman" was one who used powder; an "outcast" one who used rouge. Neither type was ever "received"; one could not imagine them entering the home. I remember the wife of one of the Managing Directors of a big City firm, a family friend. She was pink and fluffy, golden-haired and sweet-tongued, and she suddenly evinced the most flattering interest in myself. She gave me handsome presents of silver things and took me once or twice up to London on shopping expeditions with her. Then we had to be met and escorted home in a carriage by my father—for ladies could not travel alone—and of course, when I was deposited safely at home, my father had to accompany her in the carriage to her own home. After one or two such expeditions renewed invitations for my company were met by the claims of my governess on my time. Then a scented note came to say that she was going on a

long trip abroad with her husband. The paternal comment "and a good thing too" received maternal assent in a tone which made me feel it had some mutual over-tones sufficiently unusual to cause me consciously to remember quite vividly the appearance of the breakfast-table at which we were seated. That was my nearest approach to direct personal suggestion that a Victorian marriage was aware of any assault (if one could call it by so decisive a word) upon the citadel of its complete monogamy.

One has now only to read the memoirs of the day, however, to discover that the Victorians maintained that inviolate monogamy in the home with the aid of the class Mr. Gladstone, with such devotion, endeavoured to rescue and nobly exposed himself to calumny as a consequence.

In short, in Victorian days, adultery was a much more stealthy game than it is at present, played with more finesse. It was a sin that was in fear only of being found out. The

consequences in the form of venereal disease, and in equivalent corruption of the soul, were scarcely thought of, certainly not realised. It took the Great War to print the words Venereal Disease in the public consciousness, and it took a man of the great driving power and fearless dominating will of Lord Northcliffe to print them in *The Times*.

CHAPTER V

MARRIAGE AND COOKING

“FEED the brute” is a good old tag full of fundamental truth.

Hunger and love are the two primitive motives behind men's actions—the two fundamental needs. The hungry man is an angry man who cannot be expected to devote his attention to the subtler aspects of civilisation. The abstemious and frugal eater may be a thinker, but he must not be positively hungry. A saint may try to test his powers against himself but he will not be a successfully married man. In the ordinary way a man should be fed, and well fed, before the graces and virtues of civilisation are expected of him. So primitive is hunger that the whole being responds to a good meal. We are what we eat, so one of the fundamentals of home-making is the art of serving meals *within the home*.

The hearth symbolises the home, and on the hearth the cooking progresses. The hearth

is present in its most civilised form in the chafing-dish on the table ; with enough of the old primitive comforts left to give a glow of satisfaction more than skin deep. The wife who to-day never enters the kitchen may still satisfy her mate by making a savoury mess on a silver chafing-dish beside him.

The majority of people live in the kitchen ; there too often the food consists of warmed-up tinned preparations tasty enough to deceive the appetite. Of them one may easily eat too much, while at the same time one lacks nourishment. Their consumer is starved of essentials, of the subtler strange controlling health-giving essentials peculiar to fresh food. We cannot thrive save on fresh food provided by the green plant out of the soil and sunlight, whether it be directly or via some quadruped. The wife to-day has a more difficult part to play than the Victorian house-mistress. In Victorian days eggs were eggs and cheap, obtainable from chickens who ran about in the sun pecking fresh worms and such green things as hand on their

health-giving vigour. To-day even the raw egg is no longer safe but too often is the product of artificial light, intensive feeding and confinement in a synthetic civilisation, starving us of vitality-building elements in the midst of plenty. To-day we fly to medicine bottles and supplementary tonics to replace the vitamins and minerals revealed as missing, unaware that had we been properly fed, no bottles from a chemist's shop would have been necessary.

Domestic Science classes and university cooking classes are generally institutional. They train the girls to become matrons in schools or colleges, or to run an institution, but they seldom teach them just the simple but vital things home-making wives should know :—how to make a savoury hot-pot, toasted cheese, fried onions, so treated so as to give their full pleasure with none of the ordinary drawbacks. The little home in England is far too generally faced by the alternative of watery stews with miserable cabbage, or preserved things out of tins. To-day more and more the homes are

split up. The big establishments where a dozen members of the family sat round one large table are very rare. In the little home the wife has to cater for a husband and one, or at most two children, and the domestic science of the day is not replacing the home lore of the past. Things out of tins may look dainty, but they neither taste as good nor are they as vital in their nourishment. They leave men vaguely dissatisfied and devitalised children to grow up with rickets. When, how and what to cook (and, quite as important, when *not* to cook) is one of the arts of marriage. As Ernest said in "Don't tell Timothy"—"This cake which I see before me to-day will by to-morrow have become part of myself."

One of the reasons for the current interest in gardens is that even in a small plot of ground that old primitive need to capture food and cook it has a diminished but tangible expression. The tomatoes grown at home are such a joy to George Radfern in Priestley's *Laburnum Grove*. The prize potato or cauliflower, the row of peas

hedging the home to be cooked within it, are now in a sense almost symbolic. They mean so much to the landless couple bereft of the natural satisfactions of hunting ; sitting on the warm earth in the sun ; cooking, and sleeping under the stars. For the life-giving power, of the earth, the natural man and woman in us hunger and yearn, and in cities are unconsciously starved for want of it.

It is true that some great thinkers may not notice with their brains what they eat, but the work of the intellectual man of the day reveals his starvation. There is a story that Isaac Newton, the famous astronomer, when left to boil an egg for himself was found half an hour later with the egg in his hand gravely gazing at it while his watch was merrily bubbling in the saucepan ! The ordinary woman does not have to deal with erratic genius in her home, but with a simple elementary creature behind the veneer of so-called civilisation. Though in an hotel or service flat he may rest his head upon her bosom, the full atmosphere of home,

the satisfying savour of marriage, must have a streak of cooking in it, with the savour of herbs, the scent of wood fires to recall and represent the joy of returning from the chase, to bring it to perfection. That may be why in our time England is being sown broadcast with bungalow homes, each girt with little plots of gardens where, in a so restricted and symbolic way, the home-makers return to the earth from which springs the life-giving pot herbs.

CHAPTER VI

THE MARRIAGE BED

IN marriage to-day, as in marriage throughout all time, the kernel of the matter lies in the physical sex relations between the mated pair.

Marriages of State, marriages of convenience, any marriage based on externals and not on natural feeling, are but exceptions to the general rule.

In our country man and wife are united "at bed and board." In some countries they are separated at board; but the marriage bed unites them everywhere; it is universally the central factor of marriage.

I remember my father saying that his father used to say that the marriage bed should be seven feet square!

In the earliest days of my childhood I remember going as a tiny thing to play on Christmas days and birthdays in my parents' great fourposter. I try to recall its exact size in relation to my own; it was not the full seven

feet perhaps, but undoubtedly it was huge and square. In the next room to it was a large comfortable single bed with an open door between the rooms, so that it made a fine place for hide and seek, a glorious playground, a place of luxury and comfort almost undreamed of by moderns to-day. When I was a little older and we were in another house, the huge bed was replaced by a big brass bedstead and I never saw it again; but I'd sleep in it to-morrow if I could find it.

Though of course the "twin bedstead" was used long before I came into the world, its recent widespread invasion of the home is one of the features of marriage to-day. The twin bedstead, each bed narrow, each bed covered with sheets and blankets of "single-bed size," is one of the enemies of true marriage. It gives a false pretence of nearness in union which is a travesty. Its narrowness creates cold draughts at a time when warm comfort and space is vital. It secures the ever-present sense of intrusion when real solitude is desired.

It enforces continual proximity, and deadens feeling, without that intimate and close contact which rests, soothes and invigorates. Marriage to-day would do well to go back to the Victorian era, and throne itself on a marriage bed, large, square and comfortable, attended by a single bed either in the same room or in a near-by dressing-room for one or other of the partners when either desires solitude. The Victorian double bed from which there was no retreat created problems people thought to solve by the twin bedstead, but in turn the twin bedstead creates graver problems which often go unrecognised.

Sex plays the star part in marriage as well as outside it. Sex plays a great part even before birth, all through infancy and childhood; a part not realised until recently, when in 1911 the hormones were discovered and named by Professor Starling. Thereafter many other hormones or internal secretions have been the subject of scientific research, practically applied by competent and incompetent alike to the problems of our sex life.

From another avenue of approach Freud recognised the importance of sex ; but I have not done what would have been so easy, and filled up my pages with the jargon of Freud and Jung. I have not done so, because, in my opinion, their patter is mostly the bemused maunderings of slightly abnormal male individuals of a foreign race, whose introspective data do not tally with the straightforward, clean, comparatively simple reactions of the Anglo-Saxon or Celtic stock mainly composing our England.

Their followers in particular profess to "reveal women." Why should women go to men for their thoughts about themselves? The world has been dominated by male monstrosities, and has long suffered from the muddles created by male megalomania. Yet how content women are to be enslaved is seen in a recent book by an American medical woman with an introduction by Jung himself. A "big press" hailed it, for it professed to describe woman and present "a physiological

interpretation of women " to the world. The submissive female author incessantly quotes her master Jung with the following result :—

“ The anima-woman must find her supra-personal value not through an intellectually accepted ideal, but through a deeper experience of her own nature, which leads her into relation to the woman's spirituality, the feminine principle itself. Jung has used the old Greek philosophic concept of Eros or relatedness to express this feminine principle, in contrast to the Logos which is the masculine principle dealing with factual knowledge and wisdom. . . . If either a man or a woman is *generally* attractive to the other sex (attractive, I mean, in a general or universal way) we may well suspect that this factor of the projection of the Ghostly Lover (of the animus or anima) enters into the situation.”

We learn from another page that a woman in love “ projects on to him some important element from her unconscious, and then is

attracted, or repelled, by that which she sees in him, quite unaware that it has originated deep within her own psyche. It is her masculine soul, her animus, which she has projected. This mechanism is the exact equivalent of the projection of the man's feminine soul, or anima."

Individual cranks and some "experts" may feel at home when wallowing in such a swamp of words, but this kind of thing is of no help to marriage to-day. There is infinitely more wisdom in the one crystal-clear sentence, "Ye shall know the truth and the truth shall make you free."

We are beginning to find out the fundamental laws of our material existence, and thus have already begun to mould marriage to-day into something nobler, freer, better and more enduring than it has been in recent times. Truth is a combination of science and sentiment—sneered at by the abnormal, but recognised by the great body of men and women as representing the solution of their difficulties, as ministering to their needs, as mirroring what they are

in essence. The human body reacts with amazing complexity and goes wrong if it ignores science, but is starved if it ignores sentiment.

This is not a treatise on physiology, but it would be absurd to deal with marriage to-day and to ignore the fact that one-third at least of the total hours of married life are spent in bed ; either in celibacy, in coital companionship, or in that fine, friendly and soothing contact wherein the talk of two harmonious minds is bathed in the soft magnetic currents passing and repassing from one to the other. It is in the marriage bed nightly, or at varied intervals according to the temperament and desire of the two participants, that the central physical act of marriage takes place.

I say deliberately coitus is the central act of marriage.

In these days men and women mingle in social life, in business, in education, and in public affairs to such an extent that for almost every other relationship each may have a friend, comrade or partner of the opposite sex without

exciting any remark. Men and women are dance partners, tennis partners, business partners, hiking partners, scientific collaborators, fellow-actors. Wherever we turn, men and women enjoy a socially recognised free companionship each with the other such as would have horrified our grandparents and generated in them hideous thoughts. Long ago the only real male companionship a woman could get was in marriage, but to-day every form of male comradeship is open without reproach, socially recognised, easy of attainment. The central fact of the marriage bed distinguishes the relation between husband and wife from that between friends. Nowadays even this may need some qualification, but only for a limited number of sophisticated people. It is still essentially true of the majority of marriages.

What then is this relation, so significant and, to those outside it, so mysterious? When I dealt with this in *Married Love* in a simple way for *normal* people it came like a bombshell in 1918 into a civilisation largely ignorant of the

simple truths it told. Experts in the study of sex had specialised in the abnormal rather than the normal; many members of the medical profession were avowedly ignorant even of the central physical fact of the marriage relation. The essential difference in marriage to-day (in England that is) after the publication of *Married Love* and before it, is that it is now widely recognised that the sex act is a *mutual* affair, not the mere "indulgence" of a man permitted by a cold non-participating woman. Before 1918 (though of course through all the ages there were exceptions deeper and more widely versed in natural law by instinct than the public expression of the sentiment of their time), in the main, marriage was conducted on the assumption that woman was a passive non-participating partner in physical union wherein orgasm was the peculiar prerogative of the male. That where this was otherwise, and a woman showed a natural aptitude for full physiological participation, enjoyment and benefit, she was of the courtesan type. A man marrying such a

woman might have considered himself lucky or he might have felt himself aggrieved. Some men have complained to me personally of their wives as being unfit for their position as true partners because they participated in sex union in a manner to which the men were accustomed *out* of wedlock. This phase in marriage is passing. In marriage to-day among intelligent people, knowledge of the physiological facts has clarified the relation between the sexes. Human beings having for centuries kept alive and fostered so many varieties, our breed has now within itself instincts and habits immensely more variable, individual and different each from the other than has any pure wild race of animal. This leads to many social complications, but these are less difficult to deal with than the complications within the marriage bed itself. Such are intensified by the fact that the couple marry with but the vaguest and most general idea of what marriage essentially consists.

If both the man and woman are inexperienced the mere instinct of love is not always enough

to secure the right conduct of the physical side of marriage. In this country even though the publication of my book *Married Love* has made an enormous difference, there are many men still who do not realise the details of the physical processes of wooing.

The repressions, harms and general ills in marriage in former generations, resulting from a widespread absence of knowledge of the technique of love, have swung the pendulum against the idea of simple old-fashioned purity before marriage. This is a current but probably a temporary fallacy. Purity was not in itself a handicap in the past; yet there was *ignorant* purity which was crudely inexpert.

There is an *essential purity* rendered wise by a combination of a romantic and a scientific attitude towards sex.

Ten years after *Married Love* I published its sequel, *Enduring Passion*. Therein I set out, with examples from amongst couples living in marriage to-day, the immense variety of types, with their differing physical needs, existing

among us. People who would be judged from external standards to be quite normal average couples are much more widely different in their requirements in the marriage bed than they are at board. Consider only one aspect of this in a simple arithmetical way.

No one eats less than one meal a day: probably no one eats more than seven meals a day.

The meal-requirement variation, therefore, of any chance couple of people is between the extremes of one and seven.

But in coitus the range is greater, and I know of people *normal* in every other way who require one coitus in two years, and others, also normal people in every other way, who require three acts of coitus per day for 365 days per year.

The coitus-requirement variation, therefore, of any chance couple of people is between the extremes of 1 and 2190.

This gives a crude but expressive indication of the relative difficulty of adjusting "bed" and "board" when any two people marry.

At "board" the limits of difference possible between the two married individuals are as . . . 1 to 7.

At "bed" the limits of difference possible between the two married individuals are as . . . 1 to 2190.

Obviously the adjustment of the sex-relation is over 300 times more difficult than the meals-relation. I cannot deal with the physiology of the matter here, but I have done so in *Enduring Passion*.

The more valuable, the more sensitive, the more cultivated and individualised a People grows in civilisation, the more difficult it is to mate harmoniously with whomsoever chance throws into the environment. The pair must become enamoured of each other. Body, mind and spirit, to say nothing of family, financial and general economic considerations, are all factors in the making of a successful marriage. More than them all is physiological coital adaptation, and if this is right, "love will laugh at lock-

smiths." If, for anatomical or physiological reasons, relations which should be based on a harmony of internal workings are not completely adjusted, then, even though "all the prospect pleases," it will be found that "man is vile."

Indeed so intricate are adjustments, so delicate the various cogwheels acting and interacting that one may well be astonished rather by the large number of happy marriages to-day than by the failures.

The cynic, of course, finds many opportunities of saying in the public Press, in the theatre, and in fiction that marriage is always essentially marred; but even the "Gloomy Dean" confirms my feeling that a much larger number of marriages are essentially successful than anyone reading the daily Press is led to believe.

When all else started right, there has in the past been a disintegrating factor of *fear*; women's fears of undesired offspring. A great spectre of terror has blackened the lives of women for generations, haunted the marriage

bed like a fiend incarnate, dogged the footsteps of women who go into it even after having been told by their doctors at their last childbirth that if they ever become pregnant again they would meet *death*. Unhealthy, and in ignorance of how to protect themselves, women have been coerced by custom into the marriage bed. *Fear* is a great cause of neuroses and the maladjustments in marriage. In the past, fear, or its milder brother anxiety, has dogged the bed-chamber and crouched behind the curtains of the marriage bed. The first attempt to handle the matter in a scientific way was the founding of the oldest birth control clinic in the world that I founded in 1921.¹

One of the essential features of marriage to-day as distinct from marriage in the past is that it *need* no longer be at the mercy of fear, though in all too many individual cases it still is.

In comfortable homes many changes for the

¹ Headquarters for the Constructive Birth Control Free Clinics, Library and information service, is 108, Whitfield Street, London, W.1. Tel. : Museum 9528.

better have been wrought in marriage in my time. Yet there are many homes where comfort is unknown. There are many homes where the scanty marriage bed with its tattered covers is shared by the children of the marriage. In marriage to-day there are also tenement homes where the young children have to wait shivering on the stone corridor, or be taken across to a kindly neighbour's, while a birth progresses in the one and only bed in the home. In other homes, civilisation has not yet touched the male partner who, rising from the brutes has lost the virtues of the brute without acquiring the virtues of man, so that he will occupy the bed within an hour of his wife having given birth, and there insist on physical union with her. I have heard of one case where the husband even had to be held off the bed between the birth and the afterbirth. So marriage to-day in our country is not a standardised relation.

A picture of the marriage of women in the restricted life of labour in 19— is painted by Mrs. Leonora Eyles, who portrays the drab

monotony and the deadening lack of leisure of working-class married women in her poignant book *The Woman in the Little House*. On five separate occasions women have said to her : “ I shouldn’t mind married life so much if it wasn’t for bedtime.”

Fear of pregnancy in these little homes is enhanced by other dim and shadowy fears, passed from one to the other as “ facts ” but created out of their imaginations. One of the most difficult obstacles in the way of the reform of marriage by the introduction of sound and wholesome knowledge of the control of conception was, and still in places is, the firmly believed falsehoods about the danger of their use.

Mrs. Eyles quotes the case of a woman whom she saw in hospital whose doctor had told her she was completely worn out with child-bearing. During fifteen years that woman could not remember a time when she was not either actually pregnant or nursing a child :—“ I always felt ill,” she said weakly. “ I used to

beg George not to let me have any more, because I hardly knew how to get through the day as it was. But he said it was his rights, and he'd have consumption if we took any precautions."

In the course of the last twelve years I have spoken in most of the big towns in England—in the Free Trade Hall, Manchester, the Albert Hall, Leeds, the Town Halls in many places—and there created an atmosphere of such free discussion of marriage problems that I have been asked, and answered, the most detailed questions about this and many other of the shadowy nightmares which have haunted England's homes. A dozen years ago such ignorance held more sway than it does to-day.

There is another group of problems of a reverse order, and it is even more hushed up. In spite of all the advantages of modern enlightenment about sex matters we suffer from it more than did our parents and grandparents. Modern marriage is often undermined by one of the direct or indirect after-effects of the War, namely, a lack of normal virility in men who

pass, externally, for healthy specimens. Successful husbands in social and most other ways, they may be revealed in the marriage bed as impotent. This factor cannot be entirely ignored in marriage to-day. It should be out-grown in time.

Perhaps the knowledge of how many of our war-touched people have to face this problem is behind the mistaken generalities some think "comforting." Recently Dean Inge has said: "Warm affection and sympathy are the best bases for a happy marriage . . . mere physical attraction, whether we call it love or lust, is the very worst, for it seldom lasts, and is too easily transferred to another."

This is a denial of the true physiological fact that real love of the mated pair in marriage has a physical sex basis, so that warm affection and sympathy are not enough to justify marriage. One may feel warm affection and sympathy for one's uncle; for one's best man friend. The distinction between love in marriage and love in friendship is that love in marriage has a physical

basis. Real married love is not at all "easily transferred to another," for after a very few months or years of properly expressed, normally conducted union in marriage, the two grow into one another by reciprocal absorption and reactions of a very profound physiological nature. Though in the realm of physical reality, and therefore within the scope of Science as she should be, such reactions are nevertheless so subtle, intricate and profound that they are out of the realm of the understanding by science as she is at present, and therefore, like many other aspects of physical science, are to-day only in the region of mystical comprehension. One may view them with the recognition that, as science advances, the physical bases of life will be disentangled and understood, but in this matter I emphatically cross swords with Dean Inge and all who claim that the relationship in normal young marriage can in its fullest sense centre anywhere other than in the marriage bed.

Some years ago people talked about a village

church where some technical irregularity had existed for years so that those married there had in reality not conformed to the legal requirements, and were therefore not legally married : did they take this opportunity to fly apart, saving themselves the trouble and expense of a divorce, shaking off their tried relationship ? No—not one did so. Every couple went back after the formalities were corrected and re-married the same person. Divorces, though they shock some moralists at present, are after all a very small matter compared with the number of permanent marriages. Where there is a true understanding of the peculiar physiological relation of the two in marriage so that coitus in marriage is normally used, the welding of the two becomes so intimate that when later on physical virility somewhat fades with age, the love which replaces it is not and cannot be a *mere* warm affection and sympathy, for they twain have become one flesh and they remain so, sometimes even with a growing physical likeness observable by other people.

Contrariwise, a marriage based on mere physical attraction, between a pair ignorant, or spoilt by false instruction, may lead to such pollution of the marriage bed that the natural happy welding of the two cannot take place. Then indeed the relationship "seldom lasts and is too easily transferred to another," wherein the same history will repeat itself unless by instruction and a growing understanding the participants become fit for the true relationship of marriage.

CHAPTER VII

VIRGINITY AT MARRIAGE

THE European preference for a bride who is virgin at the time of her marriage goes back into the Middle Ages and beyond, and is interwoven with many customs, traditions and experiences. It was the privilege of the over-lord at one time to possess himself of the virginity of the bride of his vassals.

But this is going too far afield. In the nineteenth century, particularly in Victorian times, a middle- or upper-class bridegroom would expect without any question that his bride should be a virgin.

In the old days, elaborate precautions were sometimes taken to ensure that the bridegroom proved that he personally had ruptured the hymen. This, of course, occasionally worked a cruel injustice on an innocent woman. To-day sometimes a bewildered or angry bridegroom communicates his doubt or despair about his bride because he has had no definite proof

that he was her first lover. Now, as in the past, such doubts and fears may be unjustifiable and may work a grave injustice, sowing seeds of distrust at the very inception of a marriage which need not thus have been jeopardised. It should be known that the texture of the hymen is a most variable thing; that a girl absolutely untouched by any man may have either no perceptible hymen, or one so delicate that it ruptures with ease and with no bleeding whatever. On the other hand, the hymen is sometimes so tough and so elastic that a woman may have been a wife for years in a complete sense and yet the hymen be still unruptured. One or two extraordinary cases are recorded. A woman known to me personally even gave birth to a child without rupturing the hymen, so elastic was it that it stretched in this unusual manner. A woman with such an elastic hymen might easily be accused by the bridegroom of having been a party to a fraud upon his honour, and of marrying him under pretence of possessing her purity while she had really been the

mistress of another. Sometimes the accusation would be cruel and unfounded, but in the current state of ignorance even of the simple facts of sex anatomy it would be difficult for a girl to repudiate it or to convince her bridegroom of the truth if his mind had jumped to the apparently obvious but false deduction.

Even as I write, however, I hear the modern young girl protest. I was almost going to write maiden, but I hesitate, for it is not the maiden but the experienced girl who would make the remark and say, "What old-fashioned absurdity, why of course a girl must know what she's about before she is married and try it out before tying herself up." There is what might almost be designated as a school of thought, or at any rate of practice, at present encouraging young people to adopt this attitude towards marriage. Some medical practitioners specialise in pre-marital problems and make good incomes by what they describe as "preparation for marriage." In their surgeries they stretch the hymen or lance it, and then fit the

bride before marriage with some contraceptive device. Medical practitioners pursuing this course may defend themselves by saying that their patients ask for it. Possibly some do : they also ask for abortion, but the average reputable medical man will not perform abortions. The average good-class family physician refuses this " preparation for marriage." The natural girl, untainted by the " evil communications " which corrupt good marriage, would not ask it. But to-day some do ask it—and get it.

I am sometimes told I am limited by sentiment, but it is not mere sentiment but also good physiological reason which protests against thus treating a bride before she has become a wife. Reason apart, if sentiment is not to enter into marriage, there is little hope that marriage will be satisfying and enduring.

Whenever one considers this subject of virginity at marriage, one is confronted with the oft-repeated story of the girl who, trusting a man's promises, allows him the full physical

privilege of marriage only to find that he refuses to complete the ceremony and she is deserted. Then the girl fighting it out alone in secret, or the girl supported by indignant relatives, accuses the young man of perfidy and vows vengeance on him in the good old-fashioned way. Nowadays my sympathies incline to the young man. The legal responsibilities of marriage are very considerable, and he is entitled to test the strength and durability of character of the girl whom he proposes to maintain for the rest of her life, with whom he plans to create children to carry on the race and enrich the State, the woman to whom he will give the keys of his home and his heart. If without marriage she will yield to him he is entitled to deduce that she would yield to another. It is not beyond the power of a virtuous and loving woman to avoid any appearance of mercenariness or hardness and yet to convince the man who loves her that though she is his in heart and soul she proposes to honour him by maintaining for him her virginity as her gift for their wedding

day. This is old-fashioned perhaps, but men and women are still old-fashioned in their construction. Many a nice young man has told me that though men "play up" to the modern spirit, and disregard the old custom imposed in accordance with physiological fact, yet they secretly despise the woman who encourages them to do so. A modern young girl says, "But where is one to stop? We must let them kiss us, or we'll be merely laughed at and left alone." Nature answers clearly. The place to stop is outside the hymen. Inextricable confusion is created nowadays by laxity which tries to dignify and justify itself as "advanced," though it is not "advanced" at all, but is merely sporadic degeneracy of a type as old as the hills.

What of the man? Before the year 1923 the adultery of a husband by itself was not sufficient grounds for the dissolution of a marriage. "The double standard" was prevalent; now the law is purged of it. Is it not logical if one expects virginity in a bride to demand also

virginity in the bridegroom? Those who pose that question think they have presented a *reductio ad absurdum*, but why? We are accustomed in marriage to-day to find the bridegroom far too old for his position, he is in the late thirties, even the forties, yet marrying for the first time. But that is fundamentally against the laws of nature. If young people to-day would adopt the suggestion on page 194, the bridegroom would be of a naturally right age for marriage, that is, in the early or middle twenties. At that age there is no real physiological reason why a bridegroom should not be virgin as well as the bride. In marriage in my time of course he frequently is not. It is a pity. But, on the other hand, a girl who uncompromisingly demanded virginity in her bridegroom might reject all suitors who did not come up to her demand, and be left with a poor selection from which to choose her bridegroom. Many a young man with the prospect of early marriage to a girl he both esteems and loves, desires to and can maintain himself as untouched as she.

If, on the other hand, there is no prospect of marriage, and in the heyday of his virility a man sees only a vista of years of uncertainty, he can hardly fight against the general trend of the day. Boys brought up as the unfortunate child mentioned on page 101 would, of course, take a very different attitude towards sex and marriage. Those who ignore the Christian attitude still forming the basis of the marriage customs in this country should turn to one of the world's greatest pagan Emperors—Marcus Aurelius—and note that he says: “I thank the Gods that, under the guidance of my parents, I made no proof of my virility until I reached thirty years of age.”

Still in this country to-day, in outlying rural districts linger the remnants of what used to be universal in the farming communities—the proof of mutual fertility *before* marriage was entered into. The betrothal, whether secret or open, used to be a more binding contract than the ordinary light-hearted “engagement” of to-day. In the villages the young man and the

girl having plighted their troth, the girl, with the knowledge and tacit consent of her parents or mistress in whose house she was dwelling, would take her lover into her bed. If, in a year or two, she showed no sign of becoming a mother, the man could be released with no dishonour. If, on the other hand, she became pregnant, the man, overjoyed, would complete the legal marriage and they would set up home together. A betrothal entered into in this serious way was in a sense a form of marriage, the honest countryman having neither the wish nor the power to escape from his direct responsibilities. Before travel by motor-car was thought of, those dwelling in hamlets usually spent their lives in the one district and were not able to kiss and run away as they do to-day. This old custom, lingering on in an environment no longer suited to it, leads sometimes to heart-break and disappointment if a country girl imagines that a city man has the same traditions and loyalties as she herself and trusts him as her forebears could safely have trusted the local men

of their day. A serious betrothal on these ancient lines is not to be confused with the modern superficial type of engagement not based on a reliable mutual understanding. This old custom reminds us of a point which I touch upon from another angle elsewhere, and that is, that the legal responsibilities and the legally binding nature of marriage owe much of their strength to the existence of childhood's need of nurture. Modern conditions demand a form of divorce not necessarily based on adultery where after some years of good-will a couple find themselves childless against their wish. In a simple way this is what the countrymen of the past felt about their serious betrothals and their refusal to marry until the girl had proved fertile with her chosen bridegroom. Divorce being impossible there was no other logical thing for the man and girl to do than to test their relation to each other while betrothed but not legally bound. In a farming community children were, and still are, of much more value to the parents than to city-dwelling

people. A farmer with many sons is in a much stronger financial position than a farmer who has to employ hired labour, and one can well understand the young countryman of substance desiring a fruitful marriage. Faced with the lifelong impossibility of freeing themselves once the legal bonds were concluded, countrymen built up the ancient and honourable custom of proving before marriage the likelihood of being blessed with a family. The modern city-dwelling girl to-day, with a distorted story of this old custom in her mind, may try to "catch" a husband by alleging pre-marital pregnancy. But with the changed environment the atmosphere has changed.

The city-dwelling girl who turns like a butterfly from one man to another may unconsciously reduce the number of prostitutes, but she accomplishes two evil things—she tends to spread venereal disease, and she tends to reduce the marriage rate. The number of marriageable young men who no longer marry is one of the serious social problems of the

day. There can be no doubt that if it were the universal custom for the girls of the day to hold the citadel of their own virginity in higher esteem, the marriage rate would rise.

CHAPTER VIII

THE MARRIAGE AGE

“ AT what age is it best for me to marry ? ”
“ I am thirty-five, how old should my wife be ? ”
How often have I been asked those questions in the last ten years !

They seem to me to voice the thought of a cold, calculating epoch, machine-made, devoid of the true and deep sentiment of real love—for if “ love laughs at locksmiths ” it also laughs at the calendar. Amongst the successful Victorian marriages of which I remember my parents speaking, was that of the Baroness Burdett-Coutts who was, I believe, twenty-five years older than her husband, and the marriage was a really happy one.

Even though the truth of the phrase “ A woman is as old as she feels ” was recognised long before the Victorian epoch, that period quite definitely crystallised the idea that a woman is unmarriageably old somewhere between twenty-five and thirty. In the twentieth

century a French writer on marriage, Jean Finot, described the glorified love latent in the woman of fifty, proclaiming its greater depth, understanding and delicacy than that of a crude inexperienced girl. Essential youth is commonly retained longer to-day than it used to be.

Still, the well-worn idea that a woman should be a few years younger than her husband is prevalent, and as the conventions are rendered effective in use, it is generally satisfactory for a woman to feel that she is in harmony with the currently accepted code. Conventionality makes things easy. I am quite glad personally to be several years younger than my husband, but I know how little this convention really counts from the example of my own mother. When a young lady she refused an offer of marriage from a man because he was three years younger than herself. A little while later she married my father. When he proposed to her he had already grown a beard and wore a grave sincere air, so she never made any

inquiries about his age, and it was only after they were married that she realised she had married a man *nine* years younger than herself.

Unless a couple have character, real love and a certain independence of thought, it is generally wise to conceal from the tattling community any unusual disparity in age so that it should not be the subject of common gossip. Rumour creates an atmosphere, and if a man is made to feel that his marriage cannot be expected to remain happy because his wife is older than himself, that in itself may induce the very state of affairs both hoped to escape.

The chief importance about age in marriage is physiological. As I learn more about the lives of present-day married people from all the things they tell me so frankly, I am more and more convinced of the truth of the generalisation published a few years ago in my book *Radiant Motherhood* in the chapter on what I called "The Late Maturing Type of Woman." Human beings show more variability than any wild race or breed of animal (domestic dogs, of

course, are so humanised that they cannot be held up as examples opposing this general rule), and there are among women distinct types. Some are ripe for marriage at fifteen or sixteen years. To the man who wants the fresh happiness of the earlier spontaneous development these are the wives to marry. There are other types of women who, until they are nearly thirty, are incompletely developed physiologically. Such are not capable of the full experience of marriage until the early thirties. On the whole, the late maturing is the lasting type of woman, as the slower growing oak outlives the rapidly shooting sunflower.

Even allowing for all the variations of womanhood, if a man is looking for a wife in a calculating unemotional way, simply because he wants a mistress for his home and a mother for his children, he would do well to remember that if he wants to have a number of children and to give them the best chance he can of healthy bodies, he should choose a woman between twenty-four and thirty. Individuals

vary, and some women can with impunity have their first child (and a very successful child at that) when over forty-five, but they are exceptions. For the ordinary woman to have a first child after she is forty is definitely a mistake. Yet the woman who had the easiest childbirth of any that I know was forty-four when her first child was born. A man who marries a woman over fifty would not expect to rear a family with her in the ordinary way, but there, again, exceptional cases are known. A woman's potential motherhood may generally be reckoned to come to an end at or before fifty.

And what about the man? Does age matter to him? It is generally supposed that it does not, but this is a very great mistake fostered by the general conceit of man, which is so much greater than that of woman, and by the co-operation men give to each other in anything which tends to support their social sovereignty. That it is women only who have change of life is thus an idea generally fostered. Quite

wrong ! Men go through an equivalent period in the middle, or late, fifties, or early sixties, just as significant, in many respects as upsetting, as the menopause in woman. But this is more or less hushed up. Its reactions are attributed to other things than the truth. Individual wives who suffer without knowing the cause of this manifestation each have to find out for themselves, each is blamed as an individual for phenomena which are really dependent upon the husband's menopause. Then, very often, physiological phenomena in the husband lead to aberration in his feelings. These really have quite a direct physical basis, and require simple medical treatment, but it is seldom provided in time. A woman to whom a bachelor of sixty suddenly becomes ardent should make very sure that this is a real " passion deferred " and not a reaction from an enlarged prostate necessitating a medical operation before many years are past.

Youth to youth is a good old adage. Yet the habits imposed by civilisation upon its in-

tellectual and professional classes defer marriage. Financial stringency is now so great, and the strain of a career so burdensome, that the intelligent young man may be unable to support a wife until in the very late thirties or early forties. Then he tends to choose a girl in the early twenties. In a few years unhappiness follows from a cause generally hushed up, but which in the professional and higher brain-working classes is a very real phenomenon of marriage to-day. That is, the unnaturally early incidence of marital impotence in brain-working men. There are, of course, notable exceptions : the great Abraham Lincoln, I believe, was one. But the ordinary *hard*-working brain-worker whose business, profession or academic work really taxes his strength, tends to carry on his brain-work at the expense of his natural virility. Then his wife, who is probably a good deal younger than himself, finds herself widowed within marriage, a situation creating many complications. The repressed types of woman in the past may have been willing to endure in

silence, but the modern awakened woman finds it unreasonable, and is beginning to endeavour to deal with it in a manner somewhat shocking to her Victorian progenitors.

This is a side of marriage about which even to say so much as this is perhaps to say too much, and yet certainly too little. For some years past more and more it has been forced upon my attention by the requests for help, advice and instruction from modern married women so placed. Their positions as widowed wives may be unsuspected, even by their own families. These women may have husbands with the reputation of being strongly sexed, with a virile outer aspect, who nevertheless have become early impotent. I am inclined to state seriously that though in the working classes the married woman's problem is generally that of over-fecundity, the professional and upper-class woman is just as likely as not after a few years of marriage to be faced by a real physiological impotence in her husband.

As the physiological reactions of marriage

have very fundamental influences on every aspect of the relation (see Chapter IX), they should be steered in a normal course. Any abnormality in the conduct of the physical side of marriage is likely to drive it on the rocks. Where the marriage is based on a love transcending body, a deep enduring passion of soul for soul, these concerns have less weight, but they are cogent even then. In general the course of true love should run so that youth meets and enjoys youth, and the pair grow old harmoniously and together.

CHAPTER IX

CHILDREN

OF all reasons for permanence in marriage children are the most tangible. Once a child is *there*, alive, incessantly making demands, everyone recognises that it must be cared for. Few are callous enough not to realise that the parents are its proper guardians, that to possess parents in a united home is the child's natural heritage.

This, of course, becomes true the moment one child is born, for one child composes a legal and social "family." The difficult points raised in Chapter XI, page 139, seem to weigh in the circumstances once a child is there, and if the parents quarrel or find themselves so much out of harmony physically or mentally that even the strong influence of parenthood is not sufficient to hold them together, the only form of legal release they can obtain is either "legal separation" or a divorce. Then comes the problem of the "custody of the child," and the

poor child from its early years lives in a duplicated world either without a father or without a mother, or, where its parents are mutually tolerant, sometimes with a father, sometimes with a mother, but never quite like ordinary children with a Daddy and a Mummy there every day in a home united by love and mutual service.

The upbringing of the child of normal parents is to-day wisely left entirely in the parents' hands, unless they grossly demonstrate their unfitness to care for their young, when the Society for the Prevention of Cruelty to Children intervenes and may take legal action. Except in circles where parental responsibility for the education of the child can safely be assumed, there is a law which compels parents to send the child for schooling either to a national or some other school.

There is too, of course, the law, far more ancient than our own recent statutes, against incest. There is no interference by law with the general moral upbringing of their children,

even the unfortunate children of some so-called "advanced" people who are intoxicated by the little thinking they have done. Their children are sometimes made the subjects of monstrous experiments. Voronoff, for instance, on the Continent (fortunately I think he has no counterpart in this country), initiated the transplantation into clever little boys of the active part from the glands of monkeys so as to change the boys' mental qualities and disposition. There are also the no less revolting experiments of semi-insane educators who are free to play with the souls and intelligences not only of their own children but of other people's.

A certain "advanced" writer this year received a "big Press" for his abominable plan that his own little boy should "have carnal knowledge of a woman" when he is fifteen. The author further on in the same book, after wallowing in sentiment, tells the child and the public that he "may in time mate with some pure and loving woman and in your turn have children in whom you will take a pride"

No one can protect the unfortunate child from such a parent as this.

Public opinion in the long run must work in the interest of the community or the community dies out.

The existence of the illegitimate child has its bearing on marriage. An illegitimate child, of course, is often the subject of mention in the police courts because affiliation and maintenance orders have to be enforced. Mr. Claud Mullins, the well-known London magistrate, in his book *Marriage, Children and God*, says :

In our Police Courts applications are frequently made to reduce the amount of a Bastardy Order on the ground that the father has since married and has lawful children. The lot of the illegitimate child is hard enough in any circumstances, but it is utterly wrong that it should be deprived of the necessities of life because the father has subsequently had several lawful children. I usually make a point of warning the fathers of bastard children who are unmarried that, if they marry, they must always remember that the Bastardy Order must be paid and that any lawful family must be restricted in proportion. The clergy who marry men with illegiti-

mate children might also, if they are aware of the facts, make a point of urging this duty not to have more children than will enable the father to do justice to his illegitimate child.

This is a rather novel approach to the old problem of the illegitimate child, but its intention is to emphasise the advisability of conforming to the current custom of not having children out of wedlock.

The current convention has an element of stability absent in many other schemes. Mr. Bertrand Russell in his *Marriage and Morals* comes almost unexpectedly in the end to the conventional point of view, that where a marriage is fruitful and children have been reared, if "both parties to it are reasonable and decent the expectation ought to be that [the relation] will be lifelong . . . it ought to produce so deep a tie between a man and woman that they will find that something infinitely precious in their companionship even if sexual passion has decayed." He horrified the old-fashioned conventionalists only by continuing :

“ even though either or both feel sexual passion for someone else.”

Mr. H. G. Wells, years before Mr. Russell's book appeared, spoke to me about the folly of the community basing its social code on the idea that a man who is married for years to the mother of his children must necessarily want to leave her and break up the home because passion, having faded out on both sides, a new purely physical interest arises. He poured scorn on the code which demands that a man should then prefer the transient and possibly last flicker of his physical need to the detriment of his lifelong comradeship, paternity and home-building with the wife for whom he felt a deep and enduring affection.

A passionate defence of children in our present-day society is called for. Assaults on the natural rights and privileges of children are growing apace. Children's young, sensitive minds, absorbent, rapidly forming themselves out of the sequence of current impressions, their tactile sensitiveness clinging to the material

thought they find round them, are far too often bruised, crushed, withered, scorched by the environment of to-day. The stability of their characters is upset by the lack of a sense of security, necessary to give them power to grow strong and stable while they are young. Like little dark tentacles their embryonic powers are feeling round them for sustenance; they do not get it and they are atrophied even in the nursery, and still more in the school. Statesmen say there are no great men coming on in the younger generations. Employers deplore the insufficiency, the lack of grip and grit in the young people of to-day, and all fail to realise that the sensitive young creatures have not been reared in a sufficiently sheltered and stable environment during the various vital embryonic stages when shelter and stability are the prime necessities of their kind.

The mother frog, hopping about on the dry grassy meadow, goes to the water to lay her eggs, and in that soothing and supporting element the baby frog hatches out, not as a frog but as a

tadpole. It cannot even breathe the outer air. The air it needs must be dissolved in water to permeate its gills. In that beneficial, emollient environment it grows and develops naturally until its tail falls off and its legs appear. It is then able to breathe the outer air, and it hops off on its own. In my time I have seen the human mother more and more disregarding the physiological and spiritual needs of her young. Instead of affording them the sheltering, supporting security of quiet home life until they are old enough to breathe the outer air and battle for themselves, younger and even younger she has hurled them into an atmosphere they are not physically nor physiologically sufficiently developed to meet with impunity.

Translated into fact, there emphatically is the early sending of small boys away from the home to fend for themselves at school at an age when they should be in daily contact with their parents. This is a book on Marriage, not on Schools, but in connection with marriage one must perceive the effrontery of the schoolmaster

to-day, and his encroachment on the home life of the child is rapidly increasing owing to the failure of modern parents to play their natural parts and to defend their young in their lairs against the outer world.

The view expressed by Mr. Bertrand Russell in his book *Marriage and Morals*, that the State is taking over increasingly the duties of a father in educating and rearing the children, and is "gradually rendering the father less important than he has been throughout historical times," is leading, even in his opinion, to the view that "We must expect a complete breakdown of traditional morality, since there will no longer be any reason why a mother should wish the paternity of her children to be indubitable." This comes strangely from the very man who, in another page of his book, scolds reformers and reactionaries alike for the habit of considering one, or at most two, of the aspects of any problem. Mr. Bertrand Russell presumably ranks himself as a "reformer," but when making the above statement he forgot the

most profound and enduring of all the instincts.

Mr. Bertrand Russell himself, on a later page (p. 160), says that his own view, though "put forward with some hesitation," is that "the elimination of parenthood as the recognised social relation would tend to make man's emotional life trivial and thin, causing in the end a slowly growing boredom and despair, in which procreation would gradually die out, leaving the human race to be replenished by stocks that had preserved the older conventions."

A dangerously foolish but witty person—Bernard Shaw—has recently encouraged the trend away from natural family environment and towards the institutionalisation of the child which is so disastrous a feature of modern life, culminating in his false and facile remark to Betty Ross (in her book *Heads and Tales*, 1934): "The Mother's duty is over when the child is born."

This trend is a current reaction against the "Victorian family" and its fenced-in home

wherein the father was an absolute despot overriding the personalities of the mother and children. Home was, for many, a prison rather than a rearing house ; but because one sees the vices of the Victorian home in the *Barretts of Wimpole Street* one need not rush headlong into the horrors of the Orphanage. An exalted Chinaman being shown over our Public Schools and asked his opinion, said, " Yes—they are magnificent, quite wonderful—but *what is wrong with their homes ?* "

The right expression of love is the greatest need of the present day. For the tender young body and dawning intelligence of a child an environment of love with its understanding care is needed. The modern mother who is so emphatic about the need of "hardening" children often reveals that she hurries them off to the boarding school on that surface pretext, while the true reason is that the incessant self-abnegation of the mother towards her young irks her and she finds her rôle too difficult. The adult woman of to-day looking back on her

parents and grandparents may see how that maternal abnegation led to an almost complete absence of individuality in the mother, but that was caused by many factors the modern woman should be clever enough to overcome while in fact making the needs of the children the basic law of the home.

Sex, marriage, children, and all that follows in this train lie at the heart of nearly all modern discussions on morals. The production of children in marriage is one of the main themes of modern disputation. As I write (autumn 1934) there is an evening newspaper in my hand containing an article by the famous Dean of St. Paul's—Dean Inge—who writes on “Morals in My Time.” Centrally placed in his article is a black-letter cross-heading, “The Fall in the Birth-rate,” and the Dean discusses what he considers has been the most important social change in our time—the *fall* in the birth-rate. He reminds his readers that in 1876 the birth-rate per thousand was 36·3, in 1933 it was 14·4. He confirms the generally accepted opinion

that this restriction is voluntary and says, "Those who condemn the limitation of families are defending a lost cause." He then repeats what all social workers have been considering so seriously for a number of years, that the "lowest rate are among ministers of religion, doctors and teachers, the highest birth-rate amongst the slum dwellers and the mentally deficient."

In this newspaper article he does not consider why this should be, but we must turn for a moment to this phenomenon, for it is of the very gravest national concern. The truth is, that the Christian sentiment of sympathy for individual ill-health and misery has become a national quality, and the national conscience no longer permits us to allow, within the ranks of the nation, people to die of starvation: hence every child born obtains a minimum of nurture and care assured to it by the State. In the old days Nature's laws were less interfered with, and the weak-minded and the weakling were killed out by natural hardships, and their incapacity to cope with their environment was

not perpetuated. The result of the exercise of the Christian virtue of charity and sympathy *by the nation*, as distinct from the individual, has been to work havoc with the quality of the nation. In the old days "the fittest survived." Nowadays those most ready to shift their responsibilities on to others breed, and their children survive. One of the disturbing features of marriage in our time is that the intelligent, hard-working, fastidious, cultivated young people of the day permit themselves so to be taxed and rated to contribute to the national purse that, unless they are to sink right out of their own class, they dare not afford more than one or two, often not even one child. But the State takes money from them to pay it out to the unhappily over-breeding, feeble-minded slum dwellers in doles, bonuses and support through various channels. The fantastic situation ultimately inevitable has been reached, that the intelligent allow themselves to be sterilised so that the feeble-minded may be encouraged to breed. How then can we con-

tinue to call those classes intelligent? They are beginning to be stirred, and roused to perceive the situation in a variety of ways. The strongest impetus to restore a more natural state of affairs comes through a further development of human sympathy. Contrary as it may appear, the present deplorable state of affairs has been achieved through the national exercise of the individual Christian virtues of sympathy and charity. By the individual exercise of a further and more enlightened sympathy and charity, it will be perceived that the children's allowance of the "dole," the inadequate financial reliefs which can be afforded by a State to its ever over-breeding poor, have not touched the heart of the matter and have left the poor mother with an unrelieved private anguish. The poor woman, willy-nilly, and in ignorance of the simple scientific means of control, who has become pregnant repeatedly and given birth to a number of live children, all the later ones of whom she did not desire, has been "helped" by the State to rear them,

but has not been really helped where she most needed help as an individual married woman and home-maker. She has not been given an education sufficient to enable her to understand anything of the workings of her own body, nor even given that quickly imparted superficial knowledge which enables her to use the technique of the control of conception popularly called Birth Control. The inexplicable horror, degradation, shame, anguish and misery the married women of England in my time have endured unrecorded, unvoiced, in their dumb anguish, smothered and stifled by convention, is revealed in my book *Mother England*. There I printed a few of the appalling stories written in letters to myself in 1926 from the poor mothers of this country. In my work at the clinic for Constructive Birth Control I have tried to right the fearful wrongs of the individual mother in this civilised land, primarily out of sympathy for her wrongs, but also with the recognition of the fact that it is the children born to the marriages of to-day who make the

future of England. Just the people who *should* care, don't.

English marriage in this class to-day is revealed from another angle, that of a London magistrate, in a book published in 1933, by Mr. Claud Mullins, called *Marriage, Children and God*. He describes various aspects of modern life in the slums. On his p. 77 he says :

A postman was once summoned by his wife for assault. With considerable difficulty I extracted from the unhappy couple the full story. They had been married about four years. The first child was welcome, but the postman then felt that his wages were at the time insufficient to support a larger family. Being completely ignorant of Nature's laws, the couple took "pot luck" and very soon the second child announced itself. From another postman the husband obtained the name of a drug which would bring back the wife's periods. Despite substantial (and very expensive) doses, the second child was born. When the third child was conceived the husband was furious with his wife and accused her of not taking the "medicine." He forced large quantities on her, with the result that she became really ill. One night she was violently sick and in

the morning was unable to get out of bed to cook the husband's breakfast. Then he set about her. We tackled this unpleasing situation in various ways. The husband received a warning about the law of abortion. Out of the Poor Box the wife was sent to the sea for a fortnight to regain her strength. Both husband and wife were told how to limit the number of children—both self-control and contraconception were explained. Then when the third baby was born, both parents were sent to a clinic where birth control instruction is given. I venture to claim that we did our best to put these lives straight. What could old-fashioned methods have achieved with punishment, moral lectures and religious platitudes? Yet owing to a short account of this case appearing in the popular Press—the legal world is such that birth control is still “good copy”—I was criticised by one who assumed a rôle *in loco parentis*. “You have been advertising Marie Stopes” was the criticism. I narrated the facts and asked how my critic thought I should have dealt with them. “You should have punished the man for the assault,” he said, “that’s your job.” But is the mentality thus revealed any less helpful than that of those who would meet such a situation merely with moral talk?

At the present time there is a feverish examination of statistics, much talk of numbers,

and still far too little consideration of the *quality* of the children born in marriage. An experienced midwife stated that in the poor homes the first child is always desired, the second generally, the third seldom, the fourth never. A significant relation exists between being *desired* before birth and growing into an adult who is an asset to the community. One of the greatest changes between the present and the past is, I think, that in the generation of our mothers only a few were acquainted with the means of putting their hands on the wheel of Fate and controlling the onset and quality of their own parenthood. In the time of our grandparents, the birth of children came almost always as a result of the "Will of Heaven." Though jokes might have been made about Heaven's blindness when putting a new baby into the peasant's home where there were eight or nine already instead of in the castle where there were none, it was more or less placidly accepted that such was "God's will." That the interference with God's obvious Will for

beauty, health and happiness in His world by the intervention of venereal disease could be consciously combated, and the possibility that men and women with a deeper knowledge of the physiological workings of their own bodies might place their hands on the steering wheel so as to do their best for the young with whom God entrusted them, were ideas it took many great battles with hostile ignorance in our own time to set free in the present-day community.

The opponents of modern reform were entrenched in high places. As a typical figure significant in its influence on marriage in our time, let us take Dr. Lyttelton, still actively exerting his influence, though he has retired from his most powerful position. For years, as Headmaster of Eton, he set the tone of that important school, guiding the thoughts of the lads there who, by this time, are mostly married, serving the community in public office, in the professions, and ruling the country. What of that man who stood among them as their Head and Chief? Had one only the general im-

pressions, talk and inference to judge Dr. Lyttelton by, one would not dare to comment so frankly, but he has revealed himself in a little book (published so recently as 1929).

This book is *The Christian and Birth Control*, and therein Dr. Lyttelton quotes with approval the case of a certain "Mr. A." who was so constituted that enforced continence was definitely detrimental to his health in so far as it caused constant headaches and worried him, thus hampering his professional work. His wife, on the other hand, was so constituted that "another child would probably be fatal to her life." An ordinary scientific mind would have no difficulty in concluding that the use of simple scientific contraceptives afforded the right solution for the pair, but Dr. Lyttelton handles the case in another way. According to him, Mr. A. received an indication from the Holy Spirit that "further abstinence would be wrong" and was instructed therefore to "come together again and leave the issue in God's hands," for "in the long run no harm ever comes of doing

right." Cohabitation was therefore resumed but no safeguard taken to prevent the wife from becoming pregnant. She, becoming pregnant again, died in childbirth. "She was in her prime and he was devoted to her." Was Mr. A. overcome by any sense that he had been his wife's murderer? Not at all. The way he bore the separation from his wife Dr. Lyttelton cites as an example of Christian behaviour, and "the way he bore it was a signal instance of the power of a true Christian."

Whether after this "triumph of faith" Mr. A. once more suffered from constant headaches and was hampered in his professional work, and if so, what he did about it, Dr. Lyttelton does not tell us.

I'm not going to write a treatise on contraception; I did that at some length in *Contraception, Its Theory, History and Practice*, 3rd ed., and recently in brief, illustrated form in *Birth Control To-day*, 1934. Readers wanting specific instruction should read them and come

to the free Clinic at 108 Whitfield Street, London, W.1, for personal help.

Sometimes well-meaning people will sadly shake their heads and say: "Ah, but if once women know how to avoid becoming pregnant, it is the end of the human race. They will never have children." How fear dwarfs intelligence! Of all fear, the fear of any knowledge giving women power is the most strongly embedded in man. Where marriage is based on love, and where circumstances are not artificially made too cruelly hard and prohibitive, there the loving woman will always desire to become a mother by the man she loves. The married woman who remains permanently childless has not completed the full round of the experience of life, nor has she played her supreme part in the exercise of her power to give the divine gift of life to another being.

At the present time, the confusion of burdens, the economic stresses on the shoulders of those with any sense of responsibility, are so great that we are passing through an unnatural phase.

The rapidity of the spread of ideas which were hounded a dozen years ago when I voiced them has amazed me. In a few years it should be possible at any rate to quell the stream of unhappy, miserable, diseased, undesired pregnancies and thus to set free the reserves of the nation once more for the breeding and rearing of finer citizens: *numbers* of children don't matter till their *quality* is assured.

Of the three hundred grant the three
To build a new Thermopyle.

CHAPTER X

THE STERILE MARRIAGE

THE "barren woman" has for so many centuries been the butt of reproaches that her place in marriage cannot be entirely ignored. In the old days and in earlier civilisation one assumes that her barrenness was undesired by herself. To-day, when sterile marriage is frequently condemned by Press and pulpit, one can no longer be sure. The childless marriage may be deliberately planned, at any rate for a number of years. It may, on the other hand, be placidly accepted, often with a certain relief in these days of economic stress. It may be a source of bitter disappointment to one of the partners who married desiring children.

Statistics are difficult to get about this subject. Social tradition is still patriarchal and the childless wife is the subject of reproach in so many circles that camouflage is adopted.

The camouflage may be exercised in either direction. A woman really desiring a child may

pretend that she does not wish for one, to cover her heartbreak and disappointment that none comes. On the other hand, in some circles where childlessness is imposed by circumstances upon a woman, she may, really desiring a child, pretend that she does not want one.

A very curious instance of the complexity of modern life in marriage may serve as an illustration of the difficulty of disentangling motives. In a big provincial town one of our travelling Clinics (sent out by the Society for Constructive Birth Control ¹) giving free advice to poor women won the support and interest of a wealthy local woman. Among those she

¹ The Clinic of the Society for Constructive Birth Control has its Headquarters at 108 Whitfield Street, London, W.1, and is open daily from 10 to 6 for advice and information and clinical instruction. Branch Clinics of the same organisation are open in Leeds, at 68 Bellevue Road; and Aberdeen, at 4 Gerrard Street, Gallowgate, open every day from 10 to 6 except Saturdays. There are many other birth control Clinics scattered about the country open for various hours throughout the week, and Municipal Clinics are now being opened in most large centres. Information about local Clinics can be obtained from the Headquarters of the C.B.C. in London, W.1, as above.

sent for contraceptive advice to our Clinic was a married employee of her own. The woman's health at the time seemed to necessitate contraceptive practice. For some continued time the woman remained childless. Then she became pregnant. The lady was most indignant at the "failure" of "our methods." She diverted her influence and money from our organisation to another organisation which she thought gave "more reliable advice." But the true fact behind the case was that the poor woman herself, having recovered her health, she and her husband, now so passionately desired a child that they determined they would have one. They were, however, so intimidated by their employer that they did not dare to let it be known that they wished for a child, and confiding in me, begging me to cover them, they pretended that the contraceptive measure had failed in order to absolve themselves from blame in the eyes of their employer. I never gave them away, content to take the blame of the apparent "failure" because in my opinion a

woman in health who so passionately desired a child as did this woman, should have it ; and have it in peace. When glib criticisms and gibes are thrown at one, about " the unreliability of birth control," I sometimes think about this case. Such a to-do was made about it ! All along the birth control method had been quite reliable, and after the birth of the desired baby was put into use again successfully.

All sorts of people are learnedly talking about various contraceptives and fertility and the possibility of national breakdown owing to the increase of sterile marriages, so there is a flurry of " research " at the present time. But I fancy that no human system can be devised to discover the truth behind such secrets of the marriage bed. Frankly I do not think very many people nowadays are deliberately childless unless they are conscious of some real defect in themselves. People are more concerned with posterity now than they used to be.

When after some time a married couple begin to suspect they are childless against their

will, like a coat of mail they may with bravado profess to deliberate childlessness. Behind the scenes I have witnessed this bulwark break down too often to believe in it very much, where the married pair are both really healthy and normal. Undesired childlessness has always existed but seems on the increase to-day. A couple of generations ago the country Clergy, and especially the young married curates, were almost phenomenally fertile. History, memoirs, letters of the period all point to the annual baby in the clerical home as being a feature of the times. It is so no longer. To-day Clergy and teachers share with doctors the position at the head of the list of small families. In some denominations married Clergy have an average of less than one child per marriage.

Has the natural fertility declined or are they using birth control? Who can say? It is not easy to disentangle the truth from surface facts. But ten years ago I got some unexpectedly interesting material as a result of asking a number of the Clergy, selected at random, what

birth control method they were then using. I sent them a questionnaire asking them to name the means of birth control personally adopted. At that time it was audacious even to suggest that the Clergy were using any positive contraceptive measures at all, for at that time the Anglican Bishops condemned scientific contraception. The questionnaire was secret and returnable to me personally, and I got some very interesting evidence. I ought to have published it. Perhaps I shall some day. But I mention it now because a surprisingly large proportion of the replies were from married Clergy who were childless after having made every effort to become parents without being able to obtain any child at all.

What a contrast to the poor curate of the previous generation ! In what lay the difference ? Undoubtedly something real. A significant something. City life, intellectual strain, hurry, bustle, tinned foods, incipient diabetes, all and many more are sterilising factors : but still there is more behind which would repay

investigation. The attitude of the mind is a controlling factor. Though many a woman whose mind is tuned only to fear of pregnancy succumbs to a single act of union, nevertheless certain types of disharmony may prevent a couple from getting the child they both desire.

One of the differences between marriage to-day and marriage a generation or more ago is that to-day here and there it is beginning to be realised that the "barren woman" is less common than the "barren man." As a matter of fact, of childless couples desiring children who consult me, approximately in seven out of ten cases it is the husband and not the wife whose fertility requires to be restored.

People seldom realise that *constructive* "birth control" properly understood covers a technique, or rather many techniques to restore fertility as well as techniques to prevent undesired pregnancy. Refer to page 234 for further consideration of this.

The lastingly childless pair has certain compensations. If they are a closely knit, loving

couple their disappointment may deepen their personal attachment. In such a marriage, first by hope and then by sympathy for the mutual disappointment, they are bound together by tender and romantic emotion, and its expression does not suffer the inevitable interference caused by the physical processes of childbirth and child-rearing. In an ordinary fruitful marriage the romantic relations between the husband and wife are quite definitely disturbed by the advent of a child ; particularly if the children come very early. The relationship of two who are parents cannot be so mutually centred on each other as before, for each must give up in an unselfish manner very much personal comfort and many of their own desires in order to rear the incessantly demanding little creature they have produced.

Contrariwise, the childless woman can centre on herself the potential paternal care as well as the romantic attachment of a loving husband, thus becoming a rich woman. Recognising this there are consciously greedy women who

try to snatch and hug to themselves, and selfishly to restrict, their men's emotions in this way. But thence true love has flown, and though she may keep her claws upon her husband's money and his estate she loses his heart and the mainspring of the interest of his life. A woman who does this deliberately, and at the same time, within her legal rights, refuses her husband a divorce so that he may marry a fertile woman, becomes the subject of social contempt.

There is another type of sterile marriage. It is deliberately achieved and is the result of a strong sense of racial rectitude. One or other of the pair may know of a strain of hereditary insanity, diabetes, tuberculosis, or whatever it may be which renders parenthood inadvisable. People with a sense of duty to the race no longer risk transmitting to the next generation defects which cause misery in this.

The problem of a man and a woman in this predicament differs. It is a very easy, simple, safe and trifling operation by vasectomy to

sterilise a man. It is a much more difficult and more uncertain business to sterilise a woman. But where there is defect there should be no tinkering with the subject, no risking failure while "being careful." There should be definite, permanent sterilisation.

Marriage in my time has grown out of the purely callous, purely lazy, purely emotional attitude which allowed children to come by chance into unsuitable circumstances, ill-equipped with ineffective bodies. In this respect marriage in my time has taken strides forward till almost every class that has a brain at all shows some consideration of the subject. Soon the only class callously and carelessly allowing themselves to hand on bodily defect will be the morons of various grades, sometimes called the "social problem group."

At the other end of the scale creating totally different problems, undesired and apparently inexplicable sterility, mows down distinguished families. A passionate desire for children does not produce them. Behind this sterility may

stalk, shrouded and unseen, often unsuspected, the gruesome nightmare of venereal disease. The truth about venereal disease should be known to every adult, even to every adolescent, for in the happy ignorance of adolescence the danger nowadays may be great and many a proud family has gone down because of the cruel lack of veracity on the part of the guardians of youth about this subject. It is very difficult to get the truth into people's minds. I wrote a little book some years ago called *Truth about Venereal Disease*. It was immediately after the War when the State was much perturbed about the subject. It had the honour of being praised on the same day in the House of Lords by Lord Willoughby de Broke and Lord Gorell, the two Presidents of the two societies then tackling the fatal scourge in different ways. It was published at a cheap price in paper covers—only 1s. 6d.—in the hope that young people of all classes would find it easy to obtain and easy to read and understand. Many did, but a bookseller reported that a young man had refused to buy it, saying,

“Pooh, why should we pay 1s. 6d. for a book about V.D. when the Government will cure it for nothing!” Mad youth—unaware that no Government *can* cure it absolutely.

It should be recognised that in spite of the fact that the virulent contagion of the disease can be checked and its symptoms mitigated, in spite of medical statements about “cures,” there is no guarantee that an *absolute* cure is ever effected. When I was a member of a Commission I heard evidence on this subject given, including a report by a leading medical man, that in a post-mortem of a man who had been “cured” thirty years before and thought himself completely cured in all the intervening time, *live spirochaetes were found* still in the brain tissue.

People sometimes speak of the ossification of the older generation, of their obstructiveness, lack of imagination and sympathy with young people, of their slow stupidity. Years alone need not have this deadening effect, but the

spirochæte has. The spirochæte lodged in the brain tissue of the man of affairs who has been "cured" of the wild oats of his youth has been a curse to the world, and when, as happened during the War, such men had their hands on the destinies of thousands, not only marriage was touched with *paralysis agitans*. I often feel that the Great War itself would not have taken place had *spirochæta pallida*, the curse of marriage, not found its way into the tissues of humanity.

When I was young I felt acute pity for an older woman among my friends, then horror came with the realisation that she herself did not know that the six abortions she had suffered in succession in her childless home were all caused by venereal disease contracted from her handsome and debonair husband.

Not only sterility but half the ills that human flesh is heir to to-day are by-products of the venereal diseases. These pests of marriage could be stamped out were humanity to take

them as seriously as it does smallpox. A rational community would realise that they are a thousand times more serious than smallpox, for they scar the life-stream while smallpox merely scars the skin.

CHAPTER XI

MARRIAGE AND DIVORCE

WHEN I was a child a woman had no prospect of escape from an unfortunate, even a distressingly unhappy and unnatural marriage without the degradation and misery of legally proving "cruelty." In those days a wife had to have legal proof not only of adultery, but she also had to be able to prove cruelty, or desertion without cause for not less than two years, or failure by the husband to comply with a decree of restitution of conjugal rights. The arrangement was not reciprocal. The husband was in a much stronger position than the wife, and a single act of adultery by her was enough grounds for him to secure a divorce from her, to separate her from her children altogether, and leave her stranded in a world wherein a divorced woman was an outcast, treated as though she had the plague. Gradually civilisation refined its definition of "cruelty" and it was interpreted more and more leniently. The need for divorce

reform was much more urgent than it is to-day and the Divorce Reform League had a great deal of uphill work to do. Countless public meetings had to be held and a Royal Commission had to sit before a wife was entitled to legal freedom from an adulterous husband by the Act of July 18, 1923.

Even to-day the indirect influence of mediæval ecclesiasticism is felt in countless unexpected quarters. Dean Inge, generally reckoned an extremely advanced man, declared before the Royal Commission on Divorce that "adultery in either sex ought to be a misdemeanour punished by a term of imprisonment."

Before 1857 marriage was entirely in the hands of the Church. The first big Matrimonial Causes Act was placed on the English statute book in 1857. It was in its way a revolution, for it transferred the jurisdiction over marriage from the Church to the State. Until that time divorce was a very difficult and costly process almost unobtainable save by the very rich, but the Act of 1857 allowed a husband complete

divorce which permitted remarriage on the ground of adultery and allowed a wife divorce on the ground of adultery coupled with proof of cruelty or desertion. The Act was looked upon with apprehension by many people in the country, but, on the other hand, the management of the Ecclesiastical Courts had aroused growing resentment. Since 1857 there have been a series of Matrimonial Causes Acts, and a Royal Commission in the nineteen hundreds, appointed at the suggestion of Lord Gorell, sat under his presidency. The Commission recommended further reforms in the Divorce Law. Proven adultery is at present the general ground. The Commission advised the adoption of five further grounds for divorce, namely :

- (1) Wilful desertion.
- (2) Cruelty.
- (3) Incurable insanity.
- (4) Habitual drunkenness.
- (5) Imprisonment for life under a commuted death sentence.

These reforms, although having very important social backing, for instance that of Lord Buckmaster in the House of Lords, have nevertheless not yet been accomplished. A comprehensive analysis and survey of the whole subject has recently been published by the Rev. J. F. Worsley-Boden, entitled *Mischiefs of the Marriage Law*. Readers who are interested in this serious aspect of marriage in our time should study that book.

Some reforms having been accomplished, divorce to-day is very much more civilised than it was a few years ago. But still great uncertainty exists. Many people are actively working for a still further extension of divorce reform. Some plead that if one of the married pair desires freedom from the other, that in itself should be a sufficient reason for divorce. It is possible to go further than is expedient. But hardly in England.

In America, that land of easy and variegated divorce, a woman in one State can get her legal freedom, and in another still be tied. In July

1934 the English papers reported a case from New York under the scare headline : “ Women have only to say Go ! and the husband must leave home.” This case is significant both of the quality of modern journalism and of the attitude towards divorce and marriage of an increasing number of people. So let us quote the report verbatim from the *Daily Express* of July 23 :—

Woman’s prerogative to change her mind about anything—even marriage—is now officially upheld by law in America.

In an opinion recently filed in the Baltimore Circuit Court, Judge Eugene O’Dunne declared void the marriage of Miss Virginia Classen Thompson on that ground.

“ Decisions dissecting the feminine mind, soul and body, and their several requirements are,” he said, “ mere man-made law, and law never accepted as binding on the female of the species.”

Has any man ever been born who could interpret the female heart ?

What are the limitations, if any, legal or human, on the right of the female to change her mind at any time on any subject, as she would her dress or her perfume ?

FEMALE RIGHT.

There is none. Woman may change her mind without regard of consequences and without any sense of responsibility either to God, law, or man, especially in all affairs of the heart.

It is a God-given, if not constitutionally recognised and guaranteed, right. She needs no legal guarantee. She simply exercises the female prerogative.

Judge O'Dunne's decision has created a profound effect in American legal circles. It is felt that this case will be taken as a precedent by many other brides who change their minds after marriage.

That is the worst of modern "causes," they do not leave you sensibly on the solid ground but push you down a slippery slope. Bertrand Russell truly said that in America "law and custom alike are based upon the dreams of spinsters, and the result has been an extreme prevalence of divorce and an extreme rarity of happy marriages."

I have never written on the subject of divorce under my own name. As an upholder of the sanctity and permanence of marriage it seemed that any interest in divorce I might show would probably be misinterpreted in the careless world

of to-day where a newspaper flare headline or a single quoted sentence are all that an overloaded moron mind has time to grasp about the views of others. Yet behind the scenes I helped the Divorce Reform League work until they achieved their great result of *equality* between the sexes. Some years ago, shortly after the publication of my book *Married Love*, among the many thousands of letters I received were a number from women asking me to take up the subject of divorce. One woman wrote reproaching me that I did not do so and enclosed with her letter two little tracts published by the Divorce Reform League. She told me that if I would only read these I would be at once converted and would no longer spend my time on birth control or married love work, but would concentrate on the most urgent problem of marriage as she saw it—the reform of the divorce laws. Of the leaflets one was headed *Women and Ideals*, the other *Women, Think!* My reply to her was that I was the author of both the leaflets she enclosed.

The leaflets were unsigned but they were my work. The attitude expressed in them is definitely different from that of Judge O'Dunne in the citation from the *Daily Express* on page 141. It is more English. We have deeper roots in life than the Americans.

Think! What does a husband mean to a woman? A combination of three chief things:

(1) A friend; tender, considerate and true, who enriches everyday human experience.

(2) A lover; a mate for her body and soul, with whom the rites of the sacrament of love can be mutually fulfilled.

(3) A father for her children.

Now, if the friend deserts and fails her, a woman can perhaps continue to give consideration and tender thoughts. But if the MATE desert her, the rites of their sacrament of love inevitably cease. And if the father of her children desert her the children are fatherless.

With two out of the three parts which made

the marriage destroyed, is it then any longer a marriage ?

As the law stands to-day, if, instead of being utterly callous and just deserting her, the man shows a little consideration, he can easily arrange for the wife to divorce him. Theoretically and legally of course he cannot, but actually it is being done continually.

In less than a year, under the law to-day, a wife is able to free herself from a *considerate* husband.

The Divorce Reform League asks that from an “*inconsiderate* husband a woman should be able to free herself in *three* years.”

“ Surely, if there was any logic or reason in our treatment of the subject of marriage, we women would see that three years to get rid of a totally callous husband who fails in ALL his duties is not too much to ask when to-day one year is enough to get rid of a husband who fails as a husband but is still a friend.”

The racial ideal of monogamic marriage is a lifelong, sacred, beautiful, self-sacrificing and

enduring love inspiring the acts of both parties. The idea of a dissolved marriage is naturally that of a broken thing. One likes things to be whole. Yet there are bonds that, however sacred when forged, are better broken when they are worse than hampering and have become cruel and burdensome. When one realises the full horror of the ancient punishment—chaining a live man to a corpse—one thinks of it with a shuddering gasp. That was done in brutal and barbaric days; but a marriage bond so indissoluble that a sensitive heart is tortured by the callous, sometimes the calculated cruelty of a partner whose mentality is subtly insane is a comparable barbarity in the present day in England.

People exist who are abnormally cruel, even fiendishly vindictive, and to tie for life to such a one a tender and sensitive soul is surely to repeat in civilisation that old barbarous punishment. No civilised and tender-hearted people could impose this cruelty on another were they to visualise what it means.

The world we live in nowadays is so complex and intricate an affair that it is quite impossible to steer straight on one logical line for any particular reform. We often have to take a step sideways to unravel the tangle and get on to the right line again. If we wish to stabilise marriage and make it more enduring than it often is nowadays, we must make its dissolution *easier* rather than more difficult. "Marriage" should connote a lifelong tenderness and consideration which endures "till death do us part," even though youthful physical passion may have been replaced by a deeper and calmer understanding love. But such a state can never be arrived at by forcibly coercing two people to stay within the bonds of marriage when all their instincts are to fly apart.

There are still in our laws some strange archaic remnants making intelligent and logical people gasp when they open their newspapers to read reports of real-life cases in the Courts.

Such was that still in the public memory as "The Helen of Troy" case. From it many

ordinary English people learned for the first time that a husband can sue a man for "enticing" his wife.

The anomalous absurdities of the archaic remnants left in our divorce law, and even more in its practice, are almost incredible. Fortunately I need not write a chapter about them because one of our brilliant and witty writers of to-day has just done it for us in his full-length novel *Holy Deadlock*. Anyone who is interested in the present state of the divorce law in England should read Mr. A. P. Herbert's book. Every man will laugh while his heartstrings are tugged. If he imagines himself and his wife in the position of the parties concerned, he may feel even a gasp of fear that some day he too may be caught in the clutches of this unreasonable and preposterously illogical British system.

Only the innocent party can sue for a divorce : but if you, reader, imagine that when you see a case in the Courts *Jones v. Jones* you think the plaintiff Jones is the innocent one, and the

second Jones the guilty, that is to say, that the plaintiff in Court is always the innocent party, you are very much mistaken. The social code still realises that a divorced woman is placed in a worse position than a divorced man, so it is the "done thing" where a divorce is desired on either side for the man to take the burden on his own shoulders and put up a plausible case with the aid of hotels and young women whose source of income is that of "professional wife."

I approach life from the angle of a searcher after scientific truth, and so I feel that it is beneath the dignity of modern civilised people to be forced by their own legal customs and laws to enter into the elaborate prevarications and pretences imposed upon those who find that they have made a profound physiological mistake in their marriage and desire to release each other in order to start again on what promises to be a more natural and complete union. But most of my contemporaries don't seem to mind. At any rate, having the power to alter the law, they do not do so.

Moralists and Clergy quite often point to the fact that many of the divorced people of to-day are childless. Some imply that the general wickedness of the people applying for divorce is enhanced by this fact. That is surely a stupid deduction. The very fact that the two who desire a divorce are childless in itself shows that behind the superficialities which are all that are perceptible in ordinary divorce court proceedings, there lie deeper physiological facts than are discussed. Turn again to Chapter II, page 21, in which I comment on "nullity." In those cases where the physiological disparity of the pair is such that the woman's virginity remains her possession, she can secure legal freedom quite easily ; but if contrariwise, for a few months or even only on a few occasions, she has been physically a wife, she may find that there is no possible prospect of her ever being a mother. The "fault" may not be her own predestined sterility (as is so often presupposed in "barren" women who do not have children), and it may not be her husband's inherent

sterility, which, on the contrary, may have proved itself by the appearance of an illegitimate child, but it may be that the actual sterility is due to one of those subtle physiological facts which arise not infrequently in modern times and depend probably on molecular structure of the chemical aspects of internal secretions rather than so tangible a thing as anatomical structure. In short, in any ordinary medical parlance, there is no reason why each of an otherwise normal pair should not be a parent, but each with some one other than the one they happen to have married. They may want children but they do not come. In such circumstances what can that pair do but seek divorce? To gain their divorce they must swear falsely (perjury, a very dangerous proceeding), or the husband must put up an appearance of having committed the necessary adultery and pretend to the necessary hostility to his wife. A couple, having proved their marriage to be physiologically incomplete, might expect to be entitled to legal redress in a quiet,

dignified and simple fashion without being dragged through the Courts. But not in England to-day. The childless pair is but one of many possible types of couples who are morally entitled to legal release, *i.e.* divorce, and whose divorce would not tarnish the national ideal of faithful monogamic marriage. It should be easily recognised that in such cases the State is better off with the couple separated and happily remarried than when they are held together in the "interests of morality."

The general lack of knowledge of sex physiology sometimes brings strange results in the Law Courts. In my time one case stood out very prominently, that of a wife whose extraordinary and unusual case was going through the Law Courts at the same time as my big legal action against Dr. Sutherland. The wife was legally married, and after a while became a mother, but the husband alleged that he never had complete intercourse with her, though he admitted that on material dates he had slept in the same bed with his wife. He denied that

marital intercourse of any kind had taken place on those occasions. One of the points for the jury to decide was whether the wife had committed adultery with an unnamed co-respondent. The wife's counsel argued that the evidence of the husband to the above effect was inadmissible, but this submission was overruled by the Judge. The jury found that the wife had committed adultery with an unknown man, and the Judge pronounced a decree *nisi*. An appeal by the wife was dismissed by the Court of Appeal, but the House of Lords, by a majority, allowed a further appeal, with the result that the decree *nisi* was rescinded.

All through the case in the lower court I felt that if only I had been able to give evidence for the wife I could have demonstrated such vital physiological laws that the jury would have come to the conclusion that the probability was that the husband was, in fact, the father of the child.

One of the physiological facts involved in that case crops up in my general correspondence from time to time. Only a few weeks ago the rector

of a country parish wrote inquiring about it in connection with an affiliation order. A man in his parish alleged to be the father of an illegitimate child denied that he had even penetrated the woman, and therefore denied his possible fatherhood.

Now these, and all such cases, hinge upon a physiological point published, I think, for the first time in one of the early editions of my little book *Wise Parenthood*, and verified by a medical man from his own microscopic examination. It is this : that at times of sex excitement minute beads of quite clear fluid are present on the *glans penis* of an ardent and strong healthy man, and these drops of fluid may and generally do contain free swimming individual spermatozoa. Penetration of the woman by the man is not *necessary* to place these spermatozoa in such a position as makes it possible for them to use their own swimming powers to travel from the external parts of the woman right up the vaginal canal. Then, entering the woman, one there fuses with the ovum, and generates a child.

Of course, such active and successful spermatozoa making unaided such an adventurous journey are rare. It does not often happen that a virgin becomes pregnant in this way, but she *can* and sometimes does. This may happen to a virgin woman who immodestly plays with a man and thinks she is safe from any consequences because she has not allowed penetration. She forgets that the mesh of a flimsy piece of silk or cambric is, in proportion to the vital spermatozoa, as large as a railway tunnel to herself, and that when the drops of moisture come into external contact they may transmit the spermatozoa which makes her a pregnant woman though technically a virgin.

A husband who has kept his wife's virginity, and yet loving her lies near her, need not look further than himself for any co-respondent, nor should he be permitted to do so by his legal advisers. But lawyers and doctors are very like members of the public, and when such things were discussed a few years ago, seldom made preliminary inquiries below the surface. Legal

matters are carried on on routine lines in a phraseology all its own, and generally but half understood by the lay parties concerned.

The Divorce Courts we might have as safeguards of ideal marriage should be staffed and adjudicated by experts in sex knowledge, administering laws and procedure simplified and clarified in the light of science as well as Christian charity.

Sir Ellis Hume Williams, K.C., M.P., in a recent Press article pointed out that the responsibility for the present chaotic condition of the divorce law and practice in this country is Parliament itself. He said: "The remedy is simple. Change the law." Thus some of the troubles and difficulties of marriage to-day can be remedied by the law, and necessitate legislation. Some can be remedied by the spread of simple, scientific knowledge. The chief of the difficulties of marriage can be set right by the recognition that in marriage, more even than any other human relation, it is

character that counts : if one cannot be a great novelist without character, nor a great jurist, nor a great churchman, neither can one be a great lover, an entirely loyal spouse, without an element of nobility in the character. -

CHAPTER XII

THE MARRIAGE TAX

IN our time there exists a civilised country wherein the legal regulations support Christian marriage, and the social customs of the country condemn concubinage and prostitution. At the same time, in that country, the Government without a murmur from those supporting Christian marriage, are permitted directly to tax married people because they are married. Hence in one street a mother with an adult son and daughter, all having certain incomes of their own, pay no tax, that is, do nothing directly to support the Government of their country. In the house next door live a man and a woman united in holy matrimony and having one child on whom they expend money and love year by year increasingly to make that child into a citizen valuable to the State. This trio are therefore directly contributing to the wealth of the State by their service to and nurture of a potential citizen ; but though the total income

the family trio possess is exactly the same in amount as that of the trio of adults next door, the parents have to pay a tax of approximately £50 a year because they are married. While the Government is quietly extracting this tax on marriage, and thus inciting people to live unmarried to avoid the tax, the social leaders of the day in that same country are loudly, from Press and pulpit, bewailing the drop in the birth-rate of the intelligent and upper classes. Insane ! Such absurdities cannot happen ! my readers may remark.

The country is England.

Long before I was myself married I was restive about this monstrous unfairness with its anti-social incitement. I coined the phrase "The Marriage Tax" and did what I could now and then by writing articles in the papers on it and fighting Somerset House.

Not so very long ago, on going into Somerset House I was warmly congratulated by an official there on coining the phrase long ago,

and on the ideas I had tried to get adopted in connection with taxation.

Before my marriage I had worked for the Women's Suffrage—— Yes, I can hear some cynics say, Suffrage was a movement of unmarried women. Nonsense! I worked for the Suffrage with a view to making my predestined ultimate marriage safer and nobler than the legal standards of the day. The Suffrage was essentially the work of married women. Most of the great leaders in it were married. Mrs. Pankhurst worked with her grown-up children. Mrs. Fawcett, Mrs. C. C. Stopes (my mother), and Mrs. Despard were the great figures in the Suffrage movement before the War, and they all worked on behalf of marriage pre-eminently. My form of fighting for the Suffrage was to refuse to pay any tax on the ground that "taxation without representation is tyranny." I used to write those words across my Income Tax forms in red ink, sign them and send them back.

After my first legal marriage I had plenty of

fighting to do. Directly I was married my income (at that moment partly consisting of substantial payments from a Government Department, namely, the British Museum for scientific work) was suddenly reduced by a tax to which I had not been liable before marriage. When I demanded the full payment to which I was accustomed and entitled for my work, I was told that it would be *paid to my husband* if he applied for it, but it would *not* be paid to me. At that time women did not have the vote, so I had to fight as best I could. A general question of taxation was involved in my own case, namely, the encroachment on the married woman's rights by taxing her unfairly and then *repaying it to the husband*! I put up a fight, but nothing moved until I had the bright idea of suing the Trustees of the British Museum for debt. The Trustees included the Archbishop of Canterbury. So I informed the Government that I was about to serve a writ on the Archbishop of Canterbury for debt. *That* made things move! I remember a very high

official who came to see me personally rubbing his hands together in a pleading manner, saying to me : “ My dear young lady, what would we *do* if everybody made so much work for us ! ”

I replied that he would then perhaps do what ought to be done and treat married women properly.

“ But we could not get on ; it is impossible to go on if everyone behaved like this ! ”

I replied, “ That’s exactly *why* I do it, so that you shall not go on in such bad ways.” The end of that story was that though I had no *legal* right to it, I made myself such a nuisance that I got my money without serving my writ on the Archbishop of Canterbury. The American newspapers had a big flare headline, “ *The One Woman in England Who Gets Her Own Way.*” But I fear that to this day the public has no idea of the reasons for the objections to the Marriage Tax, in spite of sporadic efforts to make it understood.

Then the War came and the enemy without the gates was more deadly than the enemy

within. So I paid my taxes meekly. After the War I tried to revive interest in the Marriage Tax in 1920. Feeling very hotly about it, I hoped to rouse the people in this country to a realisation of what was going on. Press paragraphs, news articles in numbers were published, and on 22 April in 1920 I took a half-column advertisement in *The Times*. Half a column in *The Times* is expensive, but I repeated it more than once and put it also in other papers. I thought that if I could only band together enough men and women promised to fight to the last ditch, to go to prison just as the suffragettes had gone to prison on behalf of the Suffrage, we would get this matter put right. Many people agreed with me, and seemed fiercely indignant about it, so that I thought they would be prepared to *do* something. But no ! So strong is the terrorising power of the Income Tax Acts that in my own circle of friends I did not find any brave enough to take the trouble involved. The advertisement in *The Times* for members of a "League for

Removal of the Tax on Marriage" only brought me in a large correspondence and a sheaf of Press cuttings. Those who signed the form on behalf of the foundation of the League struck out the really effective clause "That they would go to prison."

Yet the position in 1920 was that :

Marriage is taxed to the tune of over Twenty Million Pounds a year. This is a directly anti-social and immoral proceeding, not only an iniquitous injustice to individuals who marry, but against the best interests of the State, and an incitement to people to form illicit unions.

Intelligent citizens have been hoping that the Royal Commission on Income Tax would make the removal of this tax one of their most strenuous recommendations. Their report has just appeared, but amazingly advises the continuance of this direct attack on marriage and the family. The only woman on the Commission, however, drew up a reservation clearly showing the wrong done by this tax, which, as pointed out in the *English Review* for August 1913, penalises marriage. Her reservation was supported by only one man Commissioner. (See report of the Royal Commission on Income Tax, 1920, pp. 151-160.)

Public demand, therefore, must be insistent to Force our Legislators to Remit the Tax on Marriage.

The Report of the Royal Commission on Income Tax should be read by all. There you will find that the Commissioners' recommendations work out so that if a man and woman each have £150 a year they are to be penalised as a result of their marriage by a tax of £6 15s. more than they would have paid if they had remained unmarried. If the man increases his income, and the woman does not, until they have £800 a year, the tax they pay for the legal ceremony of marriage is raised to £15 15s. But if the wife increases her income so that she and her husband contribute equal amounts to the joint income of £800, then the tax of their penalisation is not £15 15s., but £47 5s., a direct tax on the woman's marriage certificate. Whereas, if this man and woman had lived together in lifelong but illegal union, they would have paid only as individuals, and saved £47 5s. per annum.

This muddle-headed, immoral legislation is based partly on the idea that a married pair save by living together in a joint household, but so do mother and daughter, brothers, sisters and friends. None of them is taxed for living in the same house. For example, the Commissioners' recommendations work so that three sisters, each with £135 income, living together PAY NO TAX AT ALL, but a husband and wife with one child living next door, with an equal

income, would be taxed to the extent of £21 12s. per annum. Now, the married pair provide a child for the benefit of the State, the unmarried persons do not. Yet the State penalises the child-producing pair—and then cries out for a higher birth-rate !

The paltry allowances suggested for wives and children involve immense clerical labour, and they do not correspond at all to the expenditure involved or equal the amount of the direct marriage tax, while they retain the sex injustice to women. A proper allowance for children should be made to each parent on his or her individual assessment.

The argument that the Exchequer cannot afford to lose the twenty million pounds and more which it is at present stealing from married people, and women in particular, is a worthless argument. The Exchequer would not lose ; it would merely have so to assess all individuals equitably as units (whereby much clerical work in the reckoning out of joint assessments would be saved to the country) so that everyone paid their small share to this amount, and not the married persons only.

Elementary common sense on the part of our rulers, who cry out for the increase of the birth-rate, and our Clergy, who deplore the public failure to realise the sanctity of marriage, should make such an iniquitous tax on marriage and parenthood impossible.

As the men Commissioners are so blind as not to

see the necessity for stopping the direct tax on marriage, the women of the country must unite, bringing with them, we hope, their husbands, their lovers and all lovers of the State.

A lot of people sat up and "took notice."

On the 23rd of April, 1920, the *Financial News*, in a short leader, wrote as follows :

FOR LADY INVESTORS

We are so glad to see that Dr. Marie Stopes, whose candid books on married life have added so largely to the aggregate of English domestic happiness, is organising women's opposition to the present Government bonus on concubinage. Dr. Stopes takes the view that the women of England are insulted by the maintenance of a penalty on marriage, or, as we prefer to call it, a bonus on concubinage. She suggests a lady taxpayers' strike, and as women now have the vote, that would be a most effective weapon, since the vote could back the strike. Dr. Stopes will materially strengthen her campaign, however, if she will point out to the women of England what is the real motive behind the statutory penalty on wedlock. It is nothing less than a desire to check the growth of the population and weaken the stamina of the race by encouraging that type of illicit union whose partners, from motives of social

prudence, *must* prevent the birth of children. Greater robustness in the race is the terror of the politician, because it would tend to make the nation intolerant of government by the poltroons and dullards. Hence, among other devices for impeding eugenic progress, Parliament enacts a big bonus on immorality, and pays it cash down.

I was approached by a number of papers, and given space to emphasise the matter from various points of view. I thought that if I presented examples of the individual cruelty and injustice of the Marriage Tax, people would not tolerate this anti-Christian imposition. One of the examples I cited was as follows :

“ A woman was married during the War, and her husband went abroad, and, in effect, deserted her. Her total income was £102 per year, which had been left to her by an aunt. Had she not been married this income of £102 per annum would be entirely free of tax, but, as things are to-day, she is forced to pay out of this pitiful £102 per annum six shillings in the pound to the Government for the privilege of having contracted a legal marriage. No rebate

is allowed to her as a wife—because of the joint assessment of the incomes. Her husband having deserted her, he does not claim on her behalf the return of money deducted at the source, and she is told by the officials dealing with her case that she herself is helpless until two years have expired and she has had a legal separation.

“ Meanwhile this poor girl is coerced into subsidising the rich British Empire at the rate of six shillings in the pound out of an income which does not support life simply and solely because she went through the legal formality of marriage instead of living with the man as his mistress.”

My article appeared in the *Daily Express* on the morning of the 27th of April, 1920, and that same afternoon, Tuesday the 27th of April, in the House of Commons in the discussion on the Budget for the year, Mr. G. Locker-Lampson, M.P., begged to move the insertion of the following words :

“ Provided that, if either a husband or a wife

who are living together claims to be separately assessed for purposes of Income Tax, neither of them shall be liable to pay a larger sum in respect of Income Tax than they would be liable to pay if they were each unmarried ; ” saying :

“ I do not feel that it is really necessary to offer any apology to the House for putting this amendment down and asking the House to support it. To my mind it contains a great matter of principle.”—*Hansard*.

The *Westminster Gazette*, the Women’s papers and a great many other papers took up the matter. Yet by the year 1925 nothing effective had been done. My husband and I fought on, encouraged by many expressions of approval, but no one was prepared to make a *real* stand about it. It was no use for one or two of us to go to prison. If only a dozen really prominent taxpayers had done so with us, the tax would have been dropped.

Then politicians, thinking of vote-catching, bribed the electorate with “ allowances ” and

have made matters infinitely worse from a eugenic point of view. Increasingly complex allowances for wives, children and dependents among the small income owners were introduced until almost fantastic absurdity was reached. Now a man is paid to marry a pauper or a fool, and is taxed for possessing a dowered or clever wife intelligent enough to be a good wage-earner. Even moderate "joint" incomes are taxed considerably, far more than the keep of a single child, but at the other end of the social scale, men on the dole marry in order to gain by the wife and children allowances. Young men on the dole who have lounged at street corners for years marry "for keeps" and may be the fathers of a series of infants for each of which an allowance is made by the State. Hence, on the one hand, the people whose children should be *assets* to the State are either prevented from having them by heavy taxation, or incited not to marry at all but to live in illicit liaison; on the other, it pays the people whose fecundity is a further burden to the

State to produce children. In short, a man is taxed if he marries an independent woman and paid to marry a pregnant mental defective. Things have moved since 1920, and the examples with figures I gave then want revision in detail about amounts, but not principle. The mess has not been cleared up yet. The impetus towards clearing it up has been weakened because now so many voters *gain* from the marriage and children allowances, that now the logical and the moral treatment of the whole subject is repugnant to them, for they feel that it threatens their private pockets.

The only finally right solution of the Marriage Tax is its total abolition. But to-day the injustice falls chiefly on a small number of intelligent men and women, whereby the politicians are encouraged to pay no attention to their grievance, for the mass vote is their concern. Yet to those who are guided by principle, the opportunity remains to right an evil now. Were only one millionaire's wife concerned it would be an immoral budget that

taxed her more because she was a married woman living in Christian marriage with her husband in accordance with the laws of the land, than if she were openly living with him as his mistress, and therefore free from the Marriage Tax.

A particular instance was brought before the Income Tax Commissioners. I pressed for some years on this matter about a typical assessment for a year when my husband and I, as separate units, were neither liable to super-tax, but our incomes being added together we were charged super-tax. We refused to pay, and claimed that it was immoral to ask us in a Christian country to pay a tax based solely on the fact that we were living together in holy matrimony, when, with all other conditions exactly the same, had we not been married but had I been living in his house as his mistress I could not have been taxed. It took up a fearful lot of time. We proceeded to a hearing with the Solicitors to the Crown, with all the fuss and paraphernalia it involved. We reminded those

servants of His Majesty who imposed this immoral and improper tax that in the past, oppressive taxation, revolting the people, had cost our country very dear. For example, it was owing to the folly of his advisers that the King of England lost the Crown Colonies which now form the United States because the citizens would not be imposed upon by taxes they considered unjust and improper. Those who impose a tax on Christian marriage in England are outraging not only the King's subjects on whom the tax is imposed, but the King himself. They also cause a heavy loss to the country, though that loss is indirect and not obvious. It is a loss of moral tone, and also of potential good citizens, quite as severe as the loss of land and subjects involved in 1770. At the present time those who are married are continually being urged to do their duty by the State and to rear more children to grow up as fit and intelligent citizens. Yet it is against just the class where children are most desired by those concerned with the social

welfare of society that this tax is levied, and it has a deterrent effect on child-bearing. One of those who wrote to me sympathetically about my effort said :

“ I am in the same position, my super-tax being almost wholly due to the addition of my wife’s income to my own. Moreover, my wife’s income being a small one, she would have hardly any tax at all to pay if she were not married ; so we are therefore doubly taxed for marriage and five children, instead of being handsomely rewarded—as I feel we ought to be.”

Still in 1934 nothing effective has been done. Christian marriage in my time is still subject to a tax, while Bishops turn their backs on this vital piece of missionary work for Christianity which they might take up in Westminster itself.

CHAPTER XIII

MARRIAGE AND MONEY

THE *femme couverte* was not expected to work outside the home but was provided for by her husband, or by settlement from her parents or guardians. In the old days in Europe it was recognised that a married woman, the mistress of a household, and, at the same time, the potential or actual mother of young children, could not be expected also to be a breadwinner. The equivalent of this fundamental principle is still exemplified by the king of beasts, who brings food to his nursing spouse to nourish her and his nurslings in their retreat. When the prime duty of the Lord or Squire was mainly military and defensive, naturally there was a complete merging of the properties of the two partners of the marriage, unless careful settlements had been made delineating the woman's inheritance or jointure. The principle of the dowry has never had the same expression in this country as on the Continent, where it

extends right down to the working classes. The propertied class in England, though subscribing to the unwritten law that marriage shall be for love of the two concerned, has, through experience, generally also made legal settlements and provision for their daughters. The last relics of the feudal system waned, and in Victorian England society settled down into the industrial system. Then the good old system of the *femme couverte* whose husband owned and protected all the property began to work very badly among the bourgeoisie. The chivalry and sense of responsibility of the knightly days had faded, and the bourgeois shopkeeper or industrialist, invested by law with all the property, and even the earnings of his wife, was unfit for the responsibility. Scandalous cases reached the light of day. It became known that a married woman might find herself in a sorry plight if unprotected by aristocratic "settlements," were she married to a man who bullied and ill-treated her. The small man became despotic because his only means of exploiting his

male vanity was to bully his only dependent, his wife. He was able with impunity under the law to take from a high-spirited woman who fled his roof the very earnings of her hand or brain which else might have secured her independence and enabled her to live unmolested in some lodging maintained by herself as a harbour of refuge. The matter reached scandal heat in the 'seventies in this country and, after much agitation, the Married Woman's Property Act was passed in 1882. Yes, so recently as that did this "civilised" country awaken men to their duties towards women in marriage, and make it possible for an ill-used wife voluntarily to keep herself without the man who had failed her in every respect as a husband being able to step in and take from her every penny she earned. In marriage to-day in this much more civilised England of ours there is still a remnant of the intolerable position preceding 1882, as I mentioned on page 158. About 1912, having had some money wrongly subtracted from my income by the Government it-

self, I was refused the right to ask for it myself, and told that only the application of my husband would be entertained and that it would be repaid to *him* !

Before the Married Women's Property Act of 1882 much agitation had to be undertaken, many hard cases had to be exposed. My parents were both in that fight on behalf of womanhood. Long after it was won I remember as a girl hearing from older women who had taken part in the fight reminiscences of how much help one of England's great novelists had been ; George Meredith's *Diana of the Crossways* in particular having touched the public heart, and thus released a driving power more directly personal and effective than any political speech.

In marriage to-day the wife is an independent earning unit (but see page 180). She may initiate business, and if, not being in partnership with her husband but trading as a *femme sole*, she manages her business badly she may be made individually bankrupt without legally involving

her husband in the bankruptcy. There is indeed to-day scarcely a professional business in which married women may not be found. It is one of the fundamental planks of the platform of sex equality that marriage should create no bar for women who desire to work.

In this country, legal enactments are evaded by employer-authorities, and insistent attacks on married women's work continue. The target of the attacks is *woman*, but it is *marriage* which is hit. For an example of this type of attack on marriage involving the liberty of married women, I look in a box full of cuttings. There with many similar instances lies the "Rhondda Leader" of Saturday, 13th December, 1919. A Councillor in the district proposed that the whole of the married women teachers be retained in the Local Authorities' employment *only* until such time as they were qualified for the minimum superannuation, when they should be automatically dismissed and that married women teachers already qualified for superannuation should be called upon to resign at once. A

married woman Councillor opposed the motion as being unfair. Rhondda was roused to indignation and some of the Councillors were approached by married women teachers, who asked me to come down to the Rhondda Valley and put up a fight on their behalf. This I did. In 1920 there were other reactionary efforts of the same kind in different places. Women who cared for the status of marriage combined to stimulate public interest to counteract the insidious spread of these tyrannous attacks on the happy wife. The *Observer* (London) on 11th April, 1920, published a column and a half on this subject from my pen and gave much space to the correspondence following. Unfortunately in this country trade union feeling permeates the teaching profession, and the unmarried men teachers have much influence therein. So the year 1920 did not see the end to this aggression on marriage. Between 1920 and 1926 *The Times* reported various legal actions brought by married women teachers against Authorities for dismissing them. In

1925 the *Daily Chronicle* in a leader on the subject welcomed an important judgment of Mr. Justice Romer (now Lord Justice Romer) in the Poole Corporation case to the effect that a woman teacher may not be dismissed by a Local Education Authority merely because she is married, but pointing out that the Authority could get round this case by prearranging with the woman herself that she should retire on marriage. He continued: "In fact the only bar before which professional women can obtain permanent security for their right to continue their profession during marriage is the bar of public opinion."

In 1926 the *Daily Express* in its leader "A Ban on Marriage" pointed out:

The ban on married women is ethically unsound, for it puts a premium on secret marriages and hidden attachments. And why should mothers be forbidden to teach children? The mother has qualities which make her an admirable instructor of youth. Her knowledge of children is itself a valuable educational factor. On the whole, the argument against the ban is stronger than the argument for it.

The position remained essentially as it was in 1920, when in the *Observer* I wrote about the

ATTACK ON THE HAPPY WIFE

The question of the arbitrary, and in my opinion illegal, dismissal of married women has become acute recently through the action of various local committees threatening to dismiss or discussing motions to dismiss those women teachers in their employ who happen to be married, this dismissal being based not on any assertion that the woman's efficiency has decreased or that her services are in any way unsatisfactory, but being based simply and solely on the private question of her marriage. The acme of illogical absurdities reached by such committees was reported to me by a head-mistress in whose district regulations have been made which have the effect that it is only the *happy* married woman who is dismissed; the women openly unhappy in their marriages, breaking up their homes and living apart from their husbands, are eligible to be reinstated. And, further, it is not the motherhood of a woman to which objection is taken, for in this same district, a woman who is the mother of an illegitimate child has been reinstated. *The attack, therefore, is simply on the happy wife.*

As I write I think of one individual instance known to me: a girl of fully marriageable age who has been

waiting year after year until there shall be a reliable decision in favour of the security of the tenure of her office if she marries. She is a normally sexed woman of the type who ought for her own health's sake to be married. She is betrothed to a young man also normally sexed, who for his own health's sake ought to be married. They have been betrothed for some years; he is not in a position ever to be likely to support her unless she contributes earnings to the joint home. When last I saw that girl she was looking haggard and strained, heading directly for a breakdown, and I am certain as I am that the sun will rise to-morrow that that girl in the next five or ten years will have a serious breakdown; also that she will either lose her betrothed or that he also will have a breakdown as a direct result of the artificial coercion which forces them to remain unmarried. She has the misfortune to work under a Committee which has recently decided that marriage shall result in dismissal.

The public also suffers. A considerable amount of public money is expended on supplementing the expenses of training young women for the teaching profession. If trained girls teach only three or four or five years, they have by that time not recouped the country for the expense of training them. Their compulsory dismissal, therefore, is a direct financial loss to the community, and, moreover, it is a direct loss in another way to the community through the

increasingly unsatisfactory type of teacher which is produced by a rapid succession of young girls fresh from college. The children, therefore, are made to pay as well as the taxpayers of the country.

If a woman has enough sense to be a wife and potential mother, rest assured she has enough sense to decide whether she is going to carry on her professional work or not. Once married, only the best, the born teachers, will go on teaching, *and they are the ones most needed in the profession.*

The insecurity of the married woman is a social matter not yet put right. In spite of it, however, she works increasingly.

Indeed, the wage-earning wife is becoming a common feature of marriage to-day. There is a danger in that. Feeling the economic stress of the present times, men may say "let 'em," and relax some of their own efforts to save their wives from the threefold burden of work as a home-maker, work as a mother, and work as a breadwinner.

Even the best of men are inherently lazy. It is a woman, not man, who is born with a passion for work. True, man's laziness has often re-

sulted in the lazy fellow inventing some labour-saving device when trying to save himself trouble. This has advanced what we call "civilisation." But in marriage to-day, where women are often too eager to claim "equality" and take on duties which have long been undertaken by their men, an increasing number of men relax their efforts and allow themselves almost to drift into the position of "kept men," the equivalent of the kept wives on whom the Ibsenian heroine poured such scorn.

In recent years quite a number of working women have made this complaint about their husbands to me ; that the joint income was not increased by their work, for the husband "slacked off," thinking that, as his wife could find the money, he need not make the same efforts he would have to make were she entirely dependent on him and his earnings.

This is all intricately woven with the question of child-bearing and child-rearing. So the active, independently-minded woman who marries and is "too proud to ask her husband

for money," and therefore goes on earning, is depriving herself of children she would naturally have borne had the loss of her job not been inevitable were she to become a mother. "Feminist" woman in her eagerness to prove her "equality" with man foolishly tends to forget her *superiority* over man. Woman is man's equal intellectually, man's equal as a citizen, but his superior as a life-giver. For nine months before the appearance of any individual life in this world some woman has been predetermining its quality by her sustenance of and relation to it. No man can do this work. As life is the most precious gift in the world, and it is woman's speciality, it is her folly if she permits man to overlook this fact. Man has to do such work as he can to contribute his share. This can never be the equivalent of woman's, but it should release her from the necessity of bread-winning while she is life-creating.

A muddled and ill-thought-out recognition of this fact has actuated some public bodies and

private individuals to crystallise their phrases, "Married women's place is in the home" and "Married women should not work." Even in the decades giving her legal freedom they impose to-day in many quarters grievous conditions of social bondage for married women. Sometimes just where a rational being would think it most self-evident that the married woman should make the superior worker, the slogan has taken effect and married women are dismissed from work for which they are particularly suited. School-mistresses, for instance, are dismissed on marriage—a monstrous piece of national folly. In my opinion a woman is not fully fitted to rear or educate children until she is herself a mother. This does not ignore the individual exception, the naturally gifted, maternally-minded spinster. Such a one, of course, is infinitely superior to the unnaturally callous and selfish or stupid woman who happens physically to have borne a child, but in general the full understanding of children is latent in women until they have become, through per-

sonal experience, aware of the intricate complexity of the job of child-rearing. One of the vicious circles round marriage to-day is due to the "high-school mistress" type of education forced on our girls.

This is one of the major problems of life. Unless society faces it, and realises that in marriage to-day the old-fashioned ready-made standards are not adequate to meet intelligent evolution, society will lose many of the great advantages of recent advance. To-day business is run, schools are staffed, and offices maintained almost entirely in accordance with a time-table created on the old-fashioned male standard of work—roughly eight hours' work a day, Saturday afternoons and Sundays off. There is no fundamental necessity why this should be. If modern women in marriage devote their attention to creating a sufficient freedom of thought and intelligence about this subject they could well arrange for relays of part-time workers so that a woman should sacrifice neither her home interests nor her

profession when she married. As things are arranged to-day the part-time worker is generally a nuisance to all concerned. It is a sheer national stupidity that this should be so. Plans for relays of workers on other lines could easily be thought out.

Most of what I have written in the above paragraph applies to women already married or who have been married for a few years. The problem of the moment for quite young people who want to marry is rendered even more acute by the general economic depression. The young men and women in the twenties (an age when nature indicates that marriage should take place) find themselves in a world in which marriage, as understood by their parents and grandparents, is a rare prize. Probably when their mothers married, certainly when their grandmothers married, the bride would be taken to a home furnished and prepared by the bridegroom for which the linen and some of the ornaments were provided by the bride. There the girl would remain as its mistress,

not expected to earn anything. The husband, unless a failure, would find food and the necessities for the babies as they came along, would work a little harder in the evenings or more actively search for a better job as the years passed. He was able to do this, and the home of the young married woman of the past generation was maintained for her. To-day, countless young men who would like to marry have jobs only sufficient, or barely sufficient, for their own needs. Dearly as they may love a girl and desire to marry her, they are faced with the problem of waiting five or ten or even more years before advancement in their work or profession is sufficient to justify the setting-up of anything like a home into which a bride could be invited in the old-fashioned way.

What are they to do?

The newspapers are full of articles and preachments about the slackening morality of the young people to-day, leaving one to infer that they relieve the urgency of their physical sex problems outside marriage. I have no

proof that this is so and no reason to believe that men are more "immoral" than they used to be. Fielding's books give the impression that the young men of to-day are on the whole more moral than their progenitors. But in to-day's conditions, even if the immediate physical side of sex is eliminated from the problems, unattached young men and women find their social instincts starved, and the natural mating instinct which covers *home-making* altogether thwarted.

There's a tendency, therefore, to capitulate to "fate." It is expressed in the defeatist attitude of one of the "advanced" thinkers of the day, Mr. Bertrand Russell, in his book on *Marriage and Morals* (p. 71), who says: "It is quite certain that in these days of late marriage only a small percentage of men will remain continent until they can afford to set up house with the woman of their own class. And if unmarried men are not going to remain continent, unmarried women, on the ground of equal rights, will claim that they also need

not be continent. To the moralists this situation is no doubt regrettable."

It is a pity that many of the "advanced" people are immoral and unpractical: most of the "moralists" are petrified and unimaginative: while the young people of to-day require a course of action inspired by imagination, instructed by science and common sense, and charged with romantic sentiment. A practical scheme must be commingled with all those ingredients ere it may meet the situation. The defeatism of Bertrand Russell does not, any more than does the petrified morality of a past generation, satisfy youth. Let us consider some essentials.

Marriage in the past involved two phases. After love was initiated either as love at first sight, or love flowering in propinquity, the betrothal initiated the phase of "engagement," and the "engagement" might last for a few weeks, a few months or years according to the circumstances and temperament of the two people. "Engagement" was a very definite

phase, distinct from any other period in their lives, when the affections and plans of the two were centred in each other. It involved the sex stimulus of unsatisfied passion constantly working upon the emotions, until the phase culminated and concluded on the wedding day. Then came marriage, almost always coinciding with the setting up of a home together ; that involving, as it generally did and does, funds from somewhere to purchase furniture and equipment and to keep the wife out of the wage-earning market so that the husband had to provide an income for two. Thus marriage had two phases in the past. I have tried to initiate by private advice which has now been followed by many, a third phase to be added to marriage to-day.

I advise that the betrothal phase should be shortened when possible from years to months, and where the couple are certain of their feelings for each other, perhaps from months to weeks. Then *legal* marriage should take place, but before any joint home is provided. "Non-

domestic " marriage one might call it in contrast to the domestic marriage of the old type. This non-domestic marriage, according to the circumstances, would vary, but a typical case may be cited. A young salesman, travelling on a small wage for a firm, in which after some years' service he may reasonably anticipate a higher position, marries a girl living at home and holding a commercial situation in some City firm where her work ceases at midday Saturday and leaves her free until the following Monday morning. As I have often said when giving advice to young people, neither of the two eat more because they are married, nor need they wear more complicated or expensive clothes, so they can continue to live in exactly the same way after marriage as before. But marriage means that they can spend their week-ends and holidays together, secure without reproach, yet each week-end being a fresh honeymoon and a thrilling experience. They can both lay aside what savings they can towards the building of the nest wherein they

later intend mutually to take up domestic marriage and the rearing of their children. This simple and yet intelligent process finds its chief enemy in the snobbery and artificial pride of the girl's parents. They sometimes make the young people very unhappy by insisting that the girl must go to "a proper home" when she is married. To have a daughter working after she is married seems a reproach to them, and sometimes the young man or maiden confide in me the prohibitive difficulties placed in their way by such interfering folly by relatives and friends. Defiance is, of course, the obvious way of dealing with such an incubus, but defiance is not bred in everyone and is never easy.

How does this non-domestic marriage differ from what an American, Judge Ben Lindsey, created a flutter a few years ago by calling "Companionate Marriage"? They differ profoundly; because his young couple's companionate marriage is deliberately intended to be temporary; my "non-domestic" phase is

a stage of an enduring marriage. In my opinion the very roots of successful marriage lie in the deliberate *intention* that it shall be permanent. A marriage undertaken as a temporary measure should not receive the name of marriage.

Although a marriage entered into with the most serious intention of permanence may find itself turned into a temporary relation by a change of disposition or condition in the contracting parties, so that they seek the relief of a divorce or separation, that is the break-up of a serious relationship, not the inevitable result of a naturally ephemeral temporary and superficial relationship. A nation that desires stability cannot countenance with impunity the use of the word marriage for unions which are predetermined as temporary. The non-domestic phase which I describe above is not a predestined temporary affair, but is a third phase added to permanent marriage. One very interesting and delightful example of such a marriage known personally to me

is that of two university students who married before either of them had taken their degree. They continued to live in rooms apart so as not to interfere with their studies, but they took their week-ends and vacations together as honourable married people, free from all the slights, innuendoes and ugliness of suspected "light o' loves." After fourteen years of this non-domestic marriage they had saved up enough to build their own house. They then entered upon their domestic marriage, and the wife bore the long-desired son whom they reared in enduring domestic marriage.

To my mind marriage to-day may differ from Victorian marriage in the introduction of a recognised third phase. Marriage may advisably be divided thus :—

After the recognition of mutual love comes :

(A) *Betrothal*—preferably brief, because for physiological reasons it should not last more than a few months.

(B) *Non-domestic Marriage*—often secret,

preferably open, securing the love and health of the couple and enabling each to live independently of the other, meeting at such times as are mutually possible for successive honeymoons as man and wife. This phase of marriage is advisably kept infertile by the use of physiologically wholesome contraceptive measures. This phase of marriage may last anything from a few months to many years. ♦

(C) *Domestic Marriage* — involving a mutual home and presumably the rearing of offspring. This type of marriage is richest and most complete when it is fertile, and involves the rearing of offspring in the home until the offspring have at least reached the age of adolescence.

Those who have experienced this three-phase type of sex relation can testify to a great enrichment of life by the new phase of non-domestic marriage. All too frequently in the old days the excitement of a forcedly long betrothal gave

place to the overstrain of a concentrated honeymoon, itself to end abruptly in material and practical struggles and difficulties encountered with an almost unknown personality.

Marriage to-day enters on a higher stage of evolution and is enriched by the addition of the non-domestic phase.

CHAPTER XIV

MARRIED WOMEN'S NAMES

IN this country married couples are generally called Mr. and Mrs. X. Y. Many people wrongly imagine that there is a "law" that a woman should be called by her husband's name directly she marries. If they are educated, and know anything of history, they may remember that many prominent women in the past kept their own names. It has been wittily said that even King Henry VIII, who made so free with his wives' heads, did not dare to take from them their names, and Ann Boleyn was Ann Boleyn until the day of her death, never Ann Tudor. Lady Jane Grey, our three-day Queen, although she was married to Lord Guildford Dudley, was never known as Lady Jane Dudley but always as Lady Jane Grey. Also let us remember that her younger sister, Lady Catherine Grey, was a married woman too; she married Lord Hertford, but historians always know her as Lady Catherine Grey. In

Scotland one has only to look at the tombstones around the country kirk to realise that the custom of a married woman retaining her own name after marriage was the usual one. Mary Brown the wife of James Smith; Agnes McGregor the wife of David McTaggart.

Many people do not find it a matter of importance. Shakespeare asked "What's in a name?" and answered, "A rose by any other name would smell as sweet," implying that the name did not matter much. I do not agree with him. Emphatically for women, freedom's symbol is in a name.

Sometimes people object to this on the trivial ground that as it is confusing not to know if A. and B. are married, they ought to call themselves Mr. and Mrs. B. It is often just as awkward not to know that Mrs. B. is the daughter of Mr. A. A trifling exertion of memory has to be involved either in remembering that a woman is A.'s daughter or B.'s wife. Modern women are proposing to do as their forebears did, remembering what gives the

best result to *free women*. In marriage, unless you have free women as mothers, you have bondmen as sons.

In woman's age-long fight to maintain her natural place beside man (a place so easily wrested from her by the circumstances of material life), the possession of her own name and designation has all along been of very great importance. Under English law, contrary to common supposition, the married woman has never been forced to take her husband's name. Lord Halsbury in his famous *Laws of England* clearly implies that the taking of a husband's name by the wife is merely a courtesy granted her by use and wont and for domestic convenience. This conceded courtesy does not authorise *compulsion* ; that is to say, the coercion of a woman unwilling to change her name to that of the man she marries.

When I was a girl I was oppressed by the sense of an impending humiliation. The shackles were to be forged when I married, for then I would be expected to lose the name

for which I had won academic titles, the name recorded in card index references in the Universities all over the world. This cloud was lifted when I met the only woman professor in the Norwegian University. Throughout her married life she had never taken her husband's name, following the old custom in Norway, where women retained their names after marriage. Her example inspired me to look up English law; and I found it good. On my marriage, therefore, I kept my own legal name, and I have for all *legal* purposes retained that name permanently.

What a flutter in some of the dovecots it made when I went about using my own name after my marriage. I shall never forget one sunny garden party given in the Zoological Gardens by a learned Society when two or three of the solemn professors attacked me, and in frightened whispers told me that if I did such a foolish and wicked thing as to keep my own name my children, if I had any, would be illegitimate!!! They could hardly breathe

the word, and veins stood out on their bald, pink foreheads. I calmly and gently reassured them, but they would have none of my facts, preferring the eerie horrors of their imaginations.

Then too what petty things were done ! At the time I married I was receiving a special grant for research work from the most revered and respected scientific institution in the country—the Royal Society. My next cheque in payment was made out in the name of my husband ! I returned it and asked for the usual payment made out in my own name. They refused it and threatened to stop my grant unless I adopted my husband's name. I had to deal with them through my solicitors before they came to their senses and continued the grant in my own name. A very distinguished Fellow of the Royal Society—a man of title holding a high official position in the Royal Society—was so personally enraged at any woman's audacity in daring to keep her own name that he never spoke pleasantly to me again. Though I was entitled by law to the

courtesy prefix of Dr., he addressed envelopes to me with no prefix at all from that date, sending them through the post to my home to "Marie Stopes." A distinguished scientific Cambridge Don also never again spoke pleasantly to me, and not content with writing my husband's name all over the front of the envelope, wrote it on the back as well.

The attempted reactionary curbing of married women's independence was not isolated. There was, too, a series of battles between woman's interests and the United States Government. In U.S.A. there was a determined onslaught on women bearing their own surnames. During the War, President Wilson made a temporary war-time measure, a passport regulation, that married women travelling abroad with United States passports must use their husband's names. The United States Government began to refuse to pay any married women officials except by cheques made out in their husbands' names. They began all round to attempt the same kind of mean petty tyrannies as were

adopted against me in the early days of my marriage some years before.

I was in New York in 1921 using a passport made out properly in my own maiden name, when some of the advanced women I met in New York were astonished and delighted that I could do this. They had been eager to do the same but thought it impossible. I told them at that time the old English common law. They were thrilled, and vowed to spread the news. Ultimately this led to their banding together and bringing the famous "Jeritza case" and winning the day.

In the last two or three years it has excited no remark that a woman on marriage should keep her own name. People in this country perhaps do not realise that it was my legal fight which secured from recent attempted destruction the ancient right of women to keep their own names if they will after marriage. It was an exciting fight, a savage attack that had to be repelled in a few hours or there would have been a judgment in the High Court en-

forcing the use of my husband's name on me. That would not only have humiliated me personally, but would have been cited as a precedent for all time, and forced all British women on marriage for *legal* purposes to use their husbands' names.

How did this fight come about? When I first married I kept my legal name and did all that was necessary in law to secure it. That is to say, I did not adopt my husband's name, I did not use his name on my visiting cards and I circulated a brief statement to the effect that my own name would be retained as my legal name. That is all the law demands.

In the year 1923 in what is in legal circles now known as the famous case of *Stopes v. Sutherland* (a legal action taken to the House of Lords) I sued and was represented throughout in my legal name of Marie Carmichael Stopes. There was no discussion, no dispute, no doubt about it. The judgments given in the Lower Court, the Court of Appeal and the House of Lords itself all used the name of Marie Car-

michael Stopes. But a few years after that, references by my Roman Catholic opponents began to appear, describing me as "the woman Stopes" whose "real name is Mrs. Roe."

In March 1927 a writ was issued against me by Mr. Gwynne, the editor of the *Morning Post*, over the subject of Roman Catholic intrigue. My solicitors entered an appearance on my behalf giving my name as "Marie Charlotte Carmichael Stopes (Married Woman)," so that the appearance made it clear that I was a married woman. The action proceeded in the usual way against me in the name of Marie Carmichael Stopes, no suggestion being made that the Court did not recognise me under that name, and the case was listed as *Gwynne v. Stopes*. The action ended on the 25th January, 1928, in a verdict in favour of Mr. Gwynne.

Then in February, with no previous warning, like a bolt from the blue, the High Court fight against the use of her own name by a married woman began, and the defence of my right to use my own name as my legal one was

sprung upon me. Feeling, as I still do, the profound significance of names I knew the fight was an absolutely vital one. I was placed at every disadvantage. Having had legal action up to the House of Lords with no trouble or difficulty about the use of my name I thought I was secure; but no! *It had not been a contested point before.* Now it was.

Briefly the story of the struggle which involved such a sudden rush of anxiety for me, and such a serious attack on woman's independence was as follows :—

On Monday, the 6th February, 1928, Mr. Gwynne's solicitors telephoned to my solicitors and informed them that the point as to my surname had been raised by the Associate at the Law Courts when they attended to draw up the judgment. On the same day they wrote to my solicitors informing them that they proposed to mention the matter to Mr. Justice Avory on the 8th February, and to ask that the writ and all subsequent proceedings in the action might be amended by altering the words

“ Marie Carmichael Stopes ” to the words “ Marie Carmichael Roe (the wife of Humphrey Roe), a married woman.” So little did Mr. Gwynne’s solicitors appreciate the importance of the matter from my point of view that they said that if my solicitors had no objection to the suggested course being adopted it would be sufficient if my solicitors wrote them a letter to that effect so as to save the trouble of my solicitors’ attendance in Court.

I did not live in London, and on Tuesday, the 7th February, by chance my solicitor tracked me by telephone from one place to another to my mother’s house. He told me that the question about my name had not been settled by his letter informing Mr. Gwynne’s solicitors that my married name was “ Marie Carmichael Stopes,” the wife of Humphrey Verdon Roe, although that was the name accepted through the whole of the Sutherland trial in the King’s Bench, the Court of Appeal and the House of Lords. If in this matter of *Gwynne v. Stopes* my legal name, Stopes, should be taken from

me, I should be forced to have the judgment entered in my husband's name, as "Mrs. Roe." My solicitor seemed not a little perturbed, and much surprised. He knew what a matter of vital principle it was to my husband, to me, and to all serious women that a woman's *right* should be maintained to retain her patronymic throughout life as her legal name, if she so desires. The seriousness of the sudden attack left me overwhelmed with anxiety.

By the time I could get down town to his office I learnt that my solicitor had already had a consultation with Junior Counsel, and had briefed him to appear the following morning. This at any rate prevented Mr. Gwynne's side obtaining an Order *ex parte*. Counsel wanted legal cases to cite for my defence of the use of Stopes as my *legal* name and not a mere *nom-de-plume*. I had no papers or files with me in London and Press cuttings I had sent to my solicitor referring to Mrs. Fenwick-Miller's claim, and the notes of the Law Officers of the Crown were all I could think of at the moment.

Unfortunately no records had been preserved of the search made years before by the late Mr. Percy Braby on the occasion of my marriage, though I knew, on my behalf, he had then thoroughly looked into the law and taken all necessary steps to secure my name as Stopes.

We were informed that Mr. Justice Avory was to judge this matter. We needed big guns and it was late. Mr. J. B. Melville (then newly made a K.C.) was suggested, and I instructed my solicitor to brief him. He telephoned and found that, although late, it happened he was still within reach. By rapid telephoning to Junior Counsel a consultation was arranged in Mr. Melville's Chambers in a few moments. As I entered his room and looked into his eyes, I had a sudden stab—I felt the man's a Catholic ! But he was very nice, seemed keen and was eagerly searching for authorities with quick interjections between Counsel and solicitors trying to trace cases which would be suitable first thing next morning for my side to use. Nothing could be found ! We were clinging

like drowning men to a straw to Mrs. Fenwick-Miller and the opinion of the Law Officers of the Crown, knowledge of which was only contained in a Press cutting of the daily *Morning Standard* for 1911. It was as follows :—

EXTRACT FROM THE "STANDARD," 24TH NOV., 1911

MARRIED WOMEN'S NAMES.

Wives need not use their Husband's names.

A correspondent calls attention to the fact that the first woman in England to retain her own name during her entire married life is the well-known Suffragist Mrs. Florence Fenwick-Miller. Mrs. Fenwick-Miller, while single, was elected a member of the London School Board for Hackney, and married the late Mr. Frederick A. Ford six months afterwards. The fact that "by mutual consent the bride will retain her maiden name" was advertised, and formal notice to the same effect was given to the Chairman of the London School Board, who took the opinion of the legal advisers to the School Board before he consented to continue to record the votes as "Mrs." of the lady who was elected to the Board as "Miss" of the same name. The question was raised at the next School Board election, when Mrs. Fenwick-Miller was once more elected. A protest on behalf of one of the losing

candidates was sent to the chief returning officer, urging that the election was invalid, as "this lady has not been elected in her true and legal name." The point was now formally laid before the Law Officers of the Crown, who advised the chief returning officer that there is no legal obligation on a married woman in England to take and bear her husband's name, and accordingly the election held good. Mrs. Fenwick-Miller has invariably used her own name, both in public and private life and signing legal deeds.

No legal reference to any such case as we needed could be found !

We were consulting about the use of my rights in Common Law, and so on, when I mentioned the remarks of Roman Catholics who had been trying to mislead the public into thinking that I ought to be called "Mrs. Roe."

Mr. Melville looked up quickly and said : " I think I ought to tell you that I am a Roman Catholic, and you may wish in that case to withdraw from this consultation."

I rapidly thought it over. He seemed so very straight and very keen. We had no *time*

to change unless forced to, I said : “ But there are decent Catholics and scurrilous Catholics, and I am only referring to the scurrilous Catholics.” I asked him : “ Are you prepared to give me a straight fight and win for me ? ”

He looked me straight between the eyes and said : “ I am.”

“ Right—go ahead ! ” I said.

I trusted him and he proved a tower of strength.

We had only the few hours between 7 p.m. and 10.30 a.m. in the morning. Not having legal cases we were preparing to point out to the Court that they had no Common Law right to alter the name of a person at their own will, irrespective of that person's established rights. If they did succeed in getting judgment in the name of “ Marie Roe,” they had then created a non-existent person who owned not a farthing of property, and who could not be legally forced to pay. My banking account and all my property were in the name of Stopes, and I said that my bankers would be instructed to

resist any and every application to hand out money in the name of a non-existent person.

Mr. Melville was delightful to have dealings with, swiftly seizing on the facts. We parted, leaving Counsel long after hours still initiating distracted and hurried searches for legal cases to cite in Court the next morning. They said the weakness of their position was that they could find nothing in the way of a *judgment* in the High Courts to cite, as apparently the point was absolutely novel and it had never been raised there before. I felt very uneasy about it, and Mr. Melville's last words were: "Only give me ammunition—Cases." There *were* no High Court cases to be found!

By this time it was very late, but it seemed necessary to hunt for Mrs. Fenwick-Miller. Was she alive? Who knew? Perhaps the Women's Freedom League. We found the offices of the Women's Freedom League closed, but a light was burning in one room, so we rang the bell and threw stones almost up at the glass, and thus got a lady down who could not

tell us whether Mrs. Fenwick-Miller was alive or not.

No further help being forthcoming at the Women's Freedom League, we consulted a telephone directory for women barristers, and found Mrs. Helena Normanton's number in Mecklenburgh Square and rang her up. She was out, but it was reported that she would be back at any time. We got a little food, then went to 22 Mecklenburgh Square, finding Mrs. Helena Normanton there. She was very busy and very tired. We introduced ourselves and told her we sought her help in this issue not merely on my own personal account but for the sake of all womanhood. She instantly appreciated the gravity of the position. She told us that she had personally been to America only last year on this very theme, being the first woman barrister from England to present a case in the American Courts. There she had argued a test case, brought by the Amalgamated Society of Women's Institutes in America, about a woman getting a passport in her own name

although she was married. She argued in Court for four weeks, quoting the ancient English Law as well as her own experience when she repudiated a writ served on her in her married name. She had a judgment in Chambers reversed by a higher Judge in Chambers, and the amended writ had to be served in her own name of Normanton, not in her husband's name. This never came to the High Court because the Plaintiff dropped the action, but she or her solicitors still possessed the amended writ and a note of the Judgment in Chambers.

She took us down to her chambers (it was now ten o'clock at night) and we hunted up her papers and scattered documents.

Mrs. Normanton produced the writ served on her herself and amended in her own name, and the Judgment in Chambers about it given by Mr. Justice Rigby Swift. She also had the case of *Rex v. The Inhabitants of St. Faith's*, reported in Dowling and Ryland, Vol. 3, and the *Jeritza* case, recently tried in New York, a

report of which appeared in the *Evening Standard* for the 26th May, 1926.

Over the 'phone we settled a further conference for the following morning and engaged a Conference Room. I was to be represented in Court by the three Counsel—Mr. Melville, K.C. ("silk"), Mr. Monckton and Mrs. Normanton. By the time all these arrangements were concluded it was well after midnight.

The following morning, in order to take no chances and without telling my solicitor (for I knew he would stop me), after the Conference began and I was satisfied that Mrs. Normanton in wig and robes was explaining the cases she had to Mr. Melville, I slipped off by myself at three minutes to ten to try to see the Law Officers of the Crown. I found their office in a wing of the Courts of Justice, and asked for the Chief Clerk to the Law Officers of the Crown.

The door I knocked on was locked, and I was going along the corridor when it suddenly opened, and a pleasant-looking man said: "What do you want?"

“ I want to see the Chief Clerk to the Law Officers of the Crown,” I said. “ Well, I am not he ; will I do ? ” Two other nice men came along ; I since gathered that one of them was a Judge. I told them briefly of the sudden attempt to take my name away from me in this indirect manner. One of the nice gentlemen who had come along and listened said : “ Oh, but this is preposterous ; a Judge has no jurisdiction to do such a thing ; just tell him so.”

I said : “ What is the good of *me* telling him ? *You* tell him so.”

One of them said that the Law Officers of the Crown had no jurisdiction in the Courts. I asked what they were there for, and who was actually over the judges themselves. He informed me that no one had any jurisdiction in the Courts except the Lord Chancellor.

“ That is Lord Cave,” I said. “ Yes.”

I asked : “ Do you think I could get Lord Cave here before half-past ten ? ”

“ You *might*,” and added, “ I do not see the necessity for it. Haven't you got Counsel ? ”

“ Yes, three.”

“ Well,” he said, “ just tell your Counsel to stand up to Mr. Justice Avory and tell him he has no jurisdiction to do a thing like that. You have been known as Dr. Marie Stopes for the last ten years, and no one in the land has any right to attempt to take your name away.”

I returned to our Conference Room somewhat heartened. Mr. Melville was there, delighted with the cases that Mrs. Normanton could give him, and sending for books from the Law Library to have in Court for use if necessary. On recapitulating my desire to have no mention of the fictitious “ Mrs. Roe ” he quite appreciated the necessary detail, and seemed eager for the fray.

When we went into Court it was very crowded, for the real case of the day was a very big one with a lot of important medical witnesses who had been brought from a long distance. Our case, *Gwynne v. Stopes*, was only to be “ mentioned.”

On that 8th February the great fight for

which all these hurried excursions, alarms and protestations had been made took but a minute or two in the Law Courts. Instead of allowing it to slip through, we were all there in full battle array, my K.C. supported by two " Juniors."

Mr. Melville countered Mr. O'Connor's statement on behalf of Mr. Gwynne, Mr. Justice Avory looked stiffly up. His eye caught Mrs. Helena Normanton and the pile of papers in front of her.

Mr. Melville was suave and rapier swift.

Mr. Justice Avory said: " Very well."

That was all.

Victory !

In a moment we were all out of Court and with a victory for the ancient personal rights enjoyed by British women for all time. On the 9th February this few moments' significant doings were reported only in a few of the leading papers—the *Daily Telegraph*, for example. Englishwomen went on quietly unaware that their ancient right had been threatened,

defended and secured, I hope now for all time without any further possible question.

Even still I sometimes hear from women who care for their personal freedom that their bank managers refuse to let them have an account except in their husbands' name. Women should tell the bank manager that if he chooses to be so impertinent, the account will be removed elsewhere. No bank manager, no solicitor, no returning officer, no human being in this country can successfully force a married woman to take her husband's name if she does not wish to do so and is firm about consistently maintaining the position that her own name is her legal name.

The linking up of the two lives should be a union of two, not an encroachment of one over the other.

CHAPTER XV

NEW CONCEPTS AND PHYSIOLOGICAL LAWS IN MARRIAGE

DEFEATISM is mortal. Optimism is of the spirit and immortal. I am an optimist. Though loathing the murky misery and disjointed disharmony of much in modern life, I see clearly the impelling power of love through life and I recognise a definite trend of evolution to a higher and happier mode of marriage.

Briefly, I see in modern marriage, not "despair," or "the break up of morality" as bewailed by so many. I see a flux of conflicting needs, customs and *mores*, and from that flux the conscious evolution of something nobler and higher than humanity has yet experienced. It is in our midst ; unrecognised. People make the mistake of looking on human beings as equally evolved ; they are not. Hence no one system, unless very elastic, can be the mould for all.

Let us leave misery to Micah and disease to Jeremiah and look full square in the face of what is *good* to-day.

In a good marriage the couple behave to each other immensely better than the law demands, for, on the whole, the laws are made to limit the degree of badness possible within the contract.

The inner citadel of marriage, however, is the marriage bed (Chap. VI). For conduct therein, what traditions have we ?

Our " Christian marriage " has engulfed and assimilated a large segment of Jewish morality ; though spewing out that which permitted men to have a multiplicity of wives, it retains that which bids them increase and multiply and replenish the earth. That is to say, fecundity deliberately aimed at is a part of the current ethics of Christian marriage. When I began my work fifteen years ago it was openly preached as an *essential* of Christian marriage by many. Their attitude has been very considerably modified in these days, but there are,

of course, still many professing Christians who ardently preach fecundity, or who adopt part of this old Jewish ethic to suit their arguments even to-day.

Simultaneously Christian marriage is still tinged with the influences of St. Paul and St. Augustine: their morality essentially advocating as the highest ideal the diminution of, or, if possible, the elimination of, sex expression in human life. Due to this we find that the celibacy of monks, nuns and the Clergy is upheld, to set them apart from married people. Virginity is exalted above motherhood. Why? People often follow this teaching blindly without realising the origin of it. St. Paul on his conversion became one of the most ardent of Christians; and he really and emphatically believed, with an intensity of moral fervour still infectious even after all the ages of time through which it has passed, that Christ's second coming was to take place in his own lifetime, hence in the lifetimes of most of those around him, and that that second coming meant

the end of the world and consequently of all mundane affairs. His natural and logical conclusion, therefore, could scarcely be otherwise than that marriage was somewhat of a hindrance for Christians, whose duty was to convert the maximum number of infidels in the short time available. Hence the breeding and begetting of children was secondary to the missionary work on which Christians should all be engaged. On this basis his exaltation of virginity and celibacy above marriage and the home was perfectly logical and understandable and would have been right had his cosmogony not been at fault. *That his cosmogony was completely at fault our existence here to-day indubitably proves.* Why then are we in our marriage-ethic to-day expected to follow his sex-ethics? His cosmogony was wrong, the sex-ethic based on that cosmogony must also be wrong for those of us who live in the ordinary world of mundane affairs. The tenacity of the Pauline tradition adds greatly to the conflicting difficulties of marriage in recent years.

One of the problems of the day is the frenzy of reactions the word *sex* initiates. They are due to the repressions and unclean thoughts generated by secrecy and falsehood. They are so ingrained that they make it difficult to discuss vital matters with the tarnished words at our disposal. Feeling the need of a new word to express the new ideas recently winning people over whenever they are *expressed* correctly and without the handicap of old tainted tags, in 1926 I coined a new word, *erogamic* love, to represent a truth presenting itself to me as vital. It is that love nowadays between evolved adults of opposite sexes is a higher and a nobler thing than that between unevolved people. I repudiate the parrot-like clattertrap so often repeated that "Human nature does not change." Human nature undoubtedly changes, even decade by decade. I coined the new word because I felt that there might be value in crystallising the new idea of love inspiring many people to-day. The vital fact is in our midst, let us name it. The word was derived

from the Greek: *eros*—love, and *gamos*—marriage or mating. “It designates that noble flower of the duality of human life, the mating and relation together of man and woman in all three planes—physical, mental and spiritual.”

For the evolved interplay of man and woman we can speak of *erogamic life* and leave the ugly sounds of the word “sexual” to those who still roll in the filth and who delight in the unclean echoes of the centuries. Of animals and their clean mating we can speak in terms of *sex* life: using a word short, clear-cut, clean, without the slimy trail of *-xual*.

For dictionary purposes the new word erogamic was defined in 1926 as: “All that relation, in cultivated communities, between man and woman as mated pair which involves their mutual interplay and interdependencies in physical, mental and spiritual life.”

Are there any laws of Nature to guide this relationship? Yes. The definite statement of the laws is, however, very recent. All scientific laws are merely the clear and exact statement

of observable natural facts. Where the mass of scattered and apparently irrelevant data is very great and much of it seems conflicting, *law* of any sort is difficult to detect. In mechanical science, the law of Gravity resolves and clarifies many apparently conflicting observations: Boyle's law and others have a recognised usefulness in practical mechanical science in spite of Einstein. Understanding of these simple laws of deep natural significance make the handling of everyday mechanical problems easier and more precise. Now I aver that, comparably, laws of a deep significance in the science of Human Biology exist. I have sifted masses of data for them and watched them crystallise into shape over a decade. A few weeks ago I formulated them, for though Human Biology is a science still very shadowy and confused, I think the formulation of these natural laws will have a recognised usefulness in the practical everyday problems of modern marriage.

The practical problems of modern marriage

mainly centre in the marriage bed. Hence the practical laws I formulate now deal with essential conduct there.

Law I. That the normal coitus of young married people in normal health is beneficial.

Law II. That the coital act, apart from its psychological and amative value, has a double physiological result : (a) generative, initiating an embryo ; and (b) nutritive and restorative for both the participating adults.

Law III. That the two main functions of coitus are separable.

Law IV. That the reproductive function of coitus should be exercised under such control as gives the *optimum* conditions for both mother and resulting child.

Law V. That such a period of time should elapse between pregnancies that they are *spaced* in accordance with the individual optimum.

Law VI. That for normal, healthy young people the optimum period between pregnancies is best achieved by the intermittent

application of some scientific means of contraception.

Law VII. That the contraceptive use should introduce the minimum disturbance of normal coitus and should allow the contact of the epithelia of the two sexes.

Law VIII. That for regular use methods adopted by the female are more scientific and give better results than methods used by the male.

Law IX. That the walls of the vaginal canal are absorptive. And consequently—

Law X. No chemical should be placed in the vagina which would be dangerous or unpleasant in the mouth.

The above are, I believe, enduring *laws* of human nature, and therefore should be recognised as essential factors in marriage.

In the control of conception the human race has an instrument comparable with the steering wheel of a motor-car, able to direct progress to the right or the left or straight on. All scientific technicalities involved in the use of

this fateful instrument should be considered in the clearest light of day and with recognition of the biological values of the processes involved.

The power of the married pair to control the times and seasons of their parenthood is a significant factor in modern marriage. This means *control*.

The violence of theological denunciations against "birth control" has concentrated attention on but one aspect of what should be treated broadly and as a many-sided scientific problem. In the last dozen years denunciation has rapidly altered its ground and its vocabulary, and to-day has narrowed the field of combat, since the theological leaders now nearly all maintain that they "approve of birth control by *natural methods*" (see my book *Roman Catholic Methods of Birth Control*), only denouncing any *scientific* means of achieving the limitation of families. The fact has lain perdu that all along even the most rabid theological opponent of "birth control" warmly supported one of the functions of *constructive* birth control, viz.

that of inducing pregnancy in hitherto sterile women desirous of motherhood.

An explicit statement of the concepts behind the scientific work on the control of conception, and some additions to current terminology therefore seem advisable, and may make it easier for us to pursue our path to an adjacent Utopia with less irrelevant friction than has hampered the subject in the recent past.

The *control of human conception* (deplorably but irrevocably called "birth control" by the populace) has three main aspects :—

(a) NEGATIVE CONTROL, *preventing* any inception of an embryo ; called by some contraception, but generally *contraception*.

(b) POSITIVE CONTROL called by me pro-conception, inducing the initiation of an embryo where offspring are desired, and

(c) What I may here describe as *optimum control*; the alternating of the use of some selected measure (but not by any means all) of contraception with pregnancies in such a ratio that the optimum family may be main-

tained and generated. For this I suggested recently a new term on the same lines as the other two, viz. GEROCEPTION, coining this new word from the Latin *gero*, to carry-on or manage.

The users of geroceptive technique are the young and fertile married women of the day, and it is of the utmost social importance that recognition should be given to the fact that some of the measures which may be current usage by older or in diseased women (*i.e.* females of no further *racial* value), certain technical processes common in *contraceptive* technique are barred from geroceptive technique for racial reasons.

In the *control of conception* we have therefore three main types of practice according to whether the control requisite is for

- (i) Proconception.
- (ii) Contraception.
- (iii) Geroception.

Clarity demands definitions, so I had better define these terms :—

(i) PROCONCEPTION. *Definition. The use by either sex of any means whatsoever whereby in coitus the fusion of the ovum with the spermatozoon may be facilitated or induced so that conception takes place*

I should like to stress this aspect of "birth control," for although the total numbers needing to use any technique on such lines is relatively small, yet they are of positive value to the State. They represent in general highly evolved intelligent types and provide homes wherein the offspring are *welcome* and well reared.

This aspect of Clinical work has been continuously carried on since 1921 in the first birth control Clinic, the one I then founded. At first I was not so explicit about this differentiation of the aspects of control because I did not realise that it was so generally overlooked as it appears to be. But now that imitative Clinics are beginning to claim this side of the work as their recent novelty, it is time attention was drawn to the fact that all these aspects of

Constructive control were built into the very basis of the work I initiated in 1921. Theological opponents also should realise that when they denounce "birth control" they are including in their indiscriminate denunciations procedures which should, and do, have their warm approval.

(ii) CONTRACEPTION. *Definition.* *The use by either sex of any means whatsoever whereby coitus may be experienced while at the same time the fusion of the ovum with the spermatozoon may be averted, so that conception does not take place.*

An immense number of technical processes are involved in this aspect of control; some extremely harmful to the race as well as to individuals, others wholly beneficial. The technical aspects, which are a specialised branch of clinical work, should be considered in conjunction with the laws I formulate on page 232.

(iii) GEROCEPTION. *Definition.* *The intermittent use by either sex of such selected means of contraception as may, without damage to, or sex starvation of, either sex, space conceptions at such*

intervals as to produce and maintain for that family the optimum ages and numbers.

Geroceptive procedure is of supreme importance to the State, for only by the wise application of geroceptive knowledge by fertile women can the optimum production of children be attained, combined with the optimum maintenance of parental health and social nurture. It is particularly important that it should be realised that the scientific processes applied by fertile women in order to alternate periods of recuperative freedom from pregnancy with desired gestations are not necessarily identical with those permissible when contraceptive procedure is required by older or injured women.

GEROCEPTIVE technique can include *only* those contraceptive measures which are known to be absolutely safe and innocuous both for the mother's health and the potential children later to be produced. Certain contraceptive measures therefore recommended by some medical practitioners are inadmissible for every

woman save she whose childbearing is definitely past.

.

We must now conclude this brief survey of marriage in our time—and place. How many facets it has ; how brutalised and hopeless and sodden ; how rapturous, spiritual and vital : like life itself it depends on time and place and what we make of it.

The despair is old, the misery is old, the lasciviousness is old, the adultery is old. What stands out as new and therefore as essentially characteristic of the time is the rational application of scientific thought to the problems of marriage, the phenomena of sincere young people consciously evolved to the stage of endeavouring to *understand* each other's problems and think out practical measures with good-will.

We have in the Oxford Dictionary a lovely old English word *Duity*, in contrast to *Unity*. I revived it and, with a slight enlargement of its meaning, applied it to the joint life of such

a human pair as represents the flower of modern marriage.

One can, of course, speak of "a unit composed of two linked persons," but that is cumbersome in comparison with the more exact idea of a Duty in human life composed of the reciprocally mated pair. This Duty of mankind is in contrast to the Unity of God.

Young people marrying to-day have enough consciousness of self, have access to sufficient scientific knowledge and (if they are true erogamic lovers) have the material to build an enduring human Duty.

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GENERAL LITERATURE

THE TRIALS OF MR. JUSTICE AVORY

By BERNARD O'DONNELL

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